



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MAY 5, 2003
9:00 A.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P 11

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

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A communication from the City Manager requesting that Council convene in a Closed Meeting to consult with legal counsel on a specific legal matter requiring the provision of legal advice by counsel, being the terms and conditions of a contract in negotiation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

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THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159.



COUNCIL WORK SESSION

***MAY 5, 2003
9:00 A.M.***

ROOM 159

AGENDA

2. Items listed on the 2:00 p.m. Council docket requiring discussion/clarification; and additions/deletions to the 2:00 p.m. docket. (25 minutes)
3. Topics for discussion by the Mayor and Members of Council. (15 minutes)
4. Briefings by City staff:
 - Grandin Road and Memorial Bridge Traffic Calming Plan - (30 minutes)
 - Branding Update - (20 minutes)
 - Library (Request for Proposals) - (10 minutes)
 - Fair Housing - (10 minutes)

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M. IN THE COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MAY 5, 2003
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Cynthia Long Lasher, Pastor, Glade Creek Lutheran Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, May 8, 2003, at 7:00 p.m., and Saturday, May 10, 2003, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A resolution paying tribute to the Honorable William H. Carder and expressing to him the appreciation of this city and its people for his exemplary public service.

R 14

Faith Christian School. Vice-Mayor C. Nelson Harris.

Proclamation declaring May 4 - 10, 2003, as National Drinking Water Week.

P 16

Proclamation declaring May 5 - 12, 2003, as National Historic Preservation Week.

P 17

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meetings of Council held on Monday, March 17, 2003, and Monday, April 7, 2003.

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P 49

RECOMMENDED ACTION: Dispense with the reading thereof, and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, May 19, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to an option or sale of City-owned property described as Tract F in the Roanoke Centre for Industry and Technology.

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RECOMMENDED ACTION: Concur in the request.

REGULAR AGENDA

Appointment of three Trustees to the Roanoke City School Board for three-year terms of office commencing July 1, 2003 and ending June 30, 2006. Applicants are:

Dennis M. Binns
F. B. Webster Day
Tiffany M. Johnson
Gloria P. Manns
Kathy G. Stockburger
David B. Trinkle

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. A communication from the Honorable William H. Carder tendering his resignation as a Member of Roanoke City Council, effective May 16, 2003.

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6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending donation of 21 Apple computers to the City of Roanoke Public Schools for use at Westside Elementary School.
2. A communication recommending appropriation of funds in connection with completion of the Wireless Phase II, E-911 Service.

P 86;
R 88

P 89;
B/O 91

3. A communication recommending authorization to file an application for Industrial Access Program Funds in connection with Blue Hills Drive Extension. P 93;
R 96
 4. A communication recommending revisions to the City Code in connection with downtown residential parking. P 99;
O 102
 5. A communication recommending acceptance of a Federal TANF Grant for job retention and wage advancement, and appropriation of funds. P 103;
B/O 105;
R 106
 6. A communication with regard to a new Event Zone Organization. P 107
- b. DIRECTOR OF FINANCE:
1. Financial report for the month of March 2003. P 108
 2. A report recommending revisions to the City Code to provide authority to the Director of Finance to waive penalty and interest for invoices and parking tickets. P 128;
O 130
 3. A report recommending revisions to the City Code in connection with improvements to the parking ticket and decal ticket process. P 132;
O 137;
O 142
 4. A report recommending revisions to the City Code in connection with assessment of administrative costs. P 147;
O 149

7. REPORTS OF COMMITTEES: NONE.

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

12. CITY MANAGER COMMENTS:

CERTIFICATION OF CLOSED SESSION.

THE COUNCIL MEETING WILL BE DECLARED IN RECESS TO BE RECONVENED AT 8:30 A.M., ON WEDNESDAY, MAY 7, 2003, IN THE NOEL C. TAYLOR MUNICIPAL BUILDING, EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR FISCAL YEAR 2003-04 BUDGET STUDY SESSION.

**MOTION AND CERTIFICATION
WITH RESPECT TO
CLOSED MEETING**

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.
2. Roll call vote included in Council's minutes is required.
3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.



RALPH K. SMITH
Mayor

CITY OF ROANOKE
OFFICE OF THE MAYOR

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

May 5, 2003

The Honorable Vice-Mayor and
Members of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

I wish to request a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph K. Smith", is written over a horizontal line.

Ralph K. Smith
Mayor

RKS:sm



**CITY OF ROANOKE
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

RALPH K. SMITH
Mayor

May 5, 2003

The Honorable Vice-Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

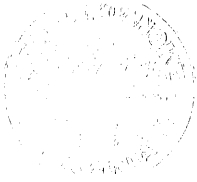
This is to request a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph K. Smith", is written over a faint, larger version of the same signature.

Ralph K. Smith
Mayor

RKS:sm



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

May 5, 2003

The Honorable Mayor and Members
Of City Council
Roanoke, Virginia

Subject: Request for Closed Meeting

Dear Mayor Smith and Council Members:

This is to request that Council convene a closed meeting to consult with legal counsel on a specific legal matter requiring the provision of legal advice by counsel, being the terms and conditions of a contract in negotiation, pursuant to Section 2.2-3711.A.7, Code of Virginia (1950), as amended.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Darlene L. Burcham", is written over a faint, larger version of the same signature.

Darlene L. Burcham
City Manager

DLB/lc

cc: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance

WHR

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION paying tribute to the Honorable William H. Carder, and expressing to him the appreciation of this city and its people for his exemplary public service.

WHEREAS, Mr. Carder was born in Jacksonville, Florida and educated at Escambia High School in Pensacola, Florida, and at the Florida Technological University (presently known as the University of Central Florida) in Orlando, Florida;

WHEREAS, Mr. Carder has served as general manager of the Patrick Henry Hotel in Roanoke for the past eleven years;

WHEREAS, Mr. Carder has been actively involved in the community, serving as secretary/treasurer of Cycle Roanoke Valley, a group that brought the Tour DuPont bike race to Roanoke; as past-chairman of Downtown Roanoke, Inc., on the board of directors for the Roanoke Regional Chamber of Commerce, as chairman of the Taste of the Blue Ridge Blues and Jazz Festival, and was named the Year 2000 State Outstanding Downtown Volunteer and presented the Year 2000 Roanoke Valley Convention and Visitors Bureau Patrick McMahan Tourism Ambassador Award;

WHEREAS, having been elected to City Council in 2000, Mr. Carder served as vice mayor from July 2000 to June 2002;

WHEREAS, Mr. Carder has worked effectively across party lines to identify solutions to problems and bring about positive changes for the City of Roanoke;

WHEREAS, during his time on City Council, Mr. Carder served on the Audit Committee, Budget and Planning Committee, Legislative Committee, Personnel Committee,

Roanoke Neighborhood Partnership Steering Committee Ad Hoc Study Committee, Roanoke Valley-Alleghany Regional Commission, Virginia's First Coalition of Cities, Virginia Municipal League Legislative Committee, Virginia Municipal League Policy Committee (Transportation), the War Memorial Committee, as Council's liaison to the Special Events Committee, on the board of directors of the Roanoke Valley Convention and Visitors Bureau, and as vice president of the board of directors for the Greater Roanoke Transit Company; and

WHEREAS, upon his resignation as a member of Council, William H. Carder concludes three years of public service with the city of Roanoke.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. This Council adopts this means of recognizing and commending the many services rendered to the City of Roanoke and its people by the Honorable William H. Carder.
2. The City Clerk is directed to forward an attested copy of this resolution to the Honorable William H. Carder.

ATTEST:

City Clerk.

Office of the Mayor

CITY OF  ROANOKE

Proclamation

WHEREAS, water follows a natural cycle from earth to air to earth again; and

WHEREAS, water is a basic and essential need for every living creature; and

WHEREAS, our health, comfort and standard of living depend upon an abundant supply of safe drinking water; and

WHEREAS, the citizens of the City of Roanoke should have a safe and dependable supply of water, both now and in the future; and

WHEREAS, every citizen should help protect source waters from pollution by practicing water conservation and getting involved in local water issues; and

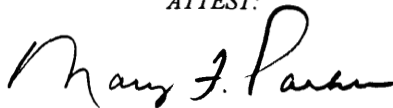
WHEREAS, in recognition of National Drinking Water Week, the City of Roanoke will offer numerous public activities to provide information on local filtration facilities and watersheds, water-wise landscaping and to bring public awareness of water conservation during the week of May 4 – 10, 2003.

NOW, THEREFORE, I, Ralph K. Smith, Mayor of the City of Roanoke, Virginia, encourage all citizens to recognize and to appreciate the precious gift of fresh drinking water, and do hereby proclaim May 4 – 10, 2003, throughout this great All-America City, as

NATIONAL DRINKING WATER WEEK.

Given under our hands and the Seal of the City of Roanoke this fifth day of May in the year two thousand and three.

ATTEST:



Mary F. Parker
City Clerk



Ralph K. Smith
Mayor

Office of the Mayor

CITY OF  ROANOKE

Proclamation

WHEREAS, *historic preservation is an effective tool for managing growth, revitalizing neighborhoods, fostering local pride and maintaining community character while enhancing livability; and*

WHEREAS, *historic preservation is relevant for communities across the nation, both urban and rural, and for Americans of all ages, all walks of life and all ethnic backgrounds; and*

WHEREAS, *it is important to celebrate the role of history in our lives and the contributions made by dedicated individuals in helping to preserve the tangible aspects of the heritage that shape us as residents of the City of Roanoke and the Commonwealth of Virginia; and*

WHEREAS, *"Cities, Suburbs, and Countryside" is the theme of National Historic Preservation Week 2003, co-sponsored by the Virginia Department of Historic Resources, the Roanoke Valley Preservation Foundation and the National Trust for Historic Preservation.*

NOW, THEREFORE, I, *Ralph K. Smith, Mayor of the City of Roanoke, Virginia, encourage the citizens of the City of Roanoke to join with citizens across the Commonwealth of Virginia in recognizing and participating in this special observance, and do hereby proclaim May 5 - 12, 2003, throughout this great All-America City, as*

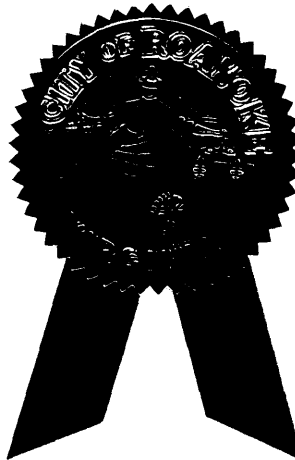
NATIONAL HISTORIC PRESERVATION WEEK.

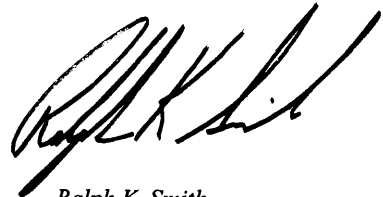
Given under our hands and the Seal of the City of Roanoke this fifth day of May in the year two thousand and three.

ATTEST:



Mary F. Parker
City Clerk





Ralph K. Smith
Mayor

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

March 17, 2003

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, March 17, 2003, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Vice-Mayor C. Nelson Harris presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt (arrived late), and Mayor Ralph K. Smith (arrived late)-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager (arrived late); William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Carl T. Tinsley, Sr., Pastor, First Baptist Church, Buena Vista, Virginia.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Mayor Harris.

PRESENTATIONS AND ACKNOWLEDGMENTS:

PROCLAMATIONS: The Vice-Mayor presented a proclamation declaring March 16-22, 2003, as DeMolay Week.

At this point, Mayor Smith and Council Member Wyatt entered the meeting.

CONSENT AGENDA

The Vice-Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called attention to four requests for Closed Sessions.

MINUTES: Minutes of the Regional Leadership Summit held on Friday, January 17, 2003; and the regular meeting of Council held on Tuesday, January 21, 2003, were before the body.

Mr. Carder moved that the minutes be approved as recorded and that the reading of the minutes be dispensed with. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Manager to convene in a Closed Meeting as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REAL ESTATE VALUATION-CITY EMPLOYEES: A communication from Willard N. Claytor tendering his resignation as Director of Real Estate Valuation, effective July 31, 2003, was before Council.

Mr. Carder moved that Council accept the resignation and receive and file the communication. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES: A communication from Anita L. Lee tendering her resignation as a member of the Parks and Recreation Advisory Board, was before Council.

Mr. Carder moved that the resignation be accepted and that the communication be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss disposition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Manager as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion

in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Manager as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

AIRPORT-OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES-HOUSING/AUTHORITY-CABLE TELEVISION-ROANOKE NEIGHBORHOOD PARTNERSHIP: The following reports of qualification were before Council:

Raymond Debose, Jr., as a member of the Fair Housing Board, for a term ending March 31, 2006;

James M. Turner, Jr., as a member of the Roanoke Regional Airport Commission, for a term ending March 9, 2007;

Carl H. Kopitzke and Mary F. Monk as members of the Parks and Recreation Advisory Board, for terms ending March 31, 2006;

Shirley M. Bethel as a member of the Roanoke Neighborhood Partnership Steering Committee, for a term ending November 30, 2005;

Delvis O. McCadden as a member of the Roanoke Valley Regional Cable Television Committee, for a term ending June 30, 2005; and

George F. Taylor as a member of the Board of Trustees, City of Roanoke Pension Plan, to fill the unexpired term of William E. Skeen, resigned, ending June 30, 2005.

Mr. Carder moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

CITY COUNCIL-CITY PROPERTY: A communication from the City Attorney requesting that Council convene in a Closed Meeting to discuss disposition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Attorney as above described. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

SCHOOLS: The Vice-Mayor advised that applications were received from the following persons prior to the March 10, 2003 deadline for three upcoming vacancies on the Roanoke City School Board:

- Dennis M. Binns**
- Rhonda M. Chattin**
- Chris H. Craft**
- Robert R. Craig**
- F. B. Webster Day**
- Tiffany M. Johnson**
- Gloria P. Manns**
- Kathy G. Stockburger**
- David B. Trinkle**

Without objection by Council, the Vice-Mayor advised that the applications would be received and filed, and Council, at its next regular meeting on Monday, April 7, 2003, will select those persons to be accorded the public interview on Thursday, April 24, 2003, beginning at 4:30 p.m.

At this point, the Mayor took the Chair.

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

ANNUAL REPORTS-ECONOMIC DEVELOPMENT: Phillip F. Sparks, Executive Director, presented the Annual Report of the Roanoke Economic Development Partnership.

(For full text, see Annual Report on file in the City Clerk's Office.)

Without objection by Council, the Mayor advised that the Annual Report would be received and filed.

TRAFFIC-STATE HIGHWAYS-TRANSPORTATION SAFETY: Steven J. Chapin, Vice-President and Director of Transportation, Hayes, Seay, Mattern & Mattern, Inc., presented STAR Solutions I-81 proposal.

He advised that the STAR Solutions proposal is being evaluated by staff at the Virginia Department of Transportation (VDOT) as part of the Public-Private Transportation Act review process, and it is anticipated that review will continue throughout the summer and VDOT will make a recommendation on how to proceed to the Commonwealth Transportation Board this fall. He noted that in a recent poll, 85 per cent of registered voters surveyed who live along the I-81 corridor believe it is important that I-81 be widened to four lanes in each direction; separating cars from trucks, paid for by a toll on trucks, enjoys a 75 per cent approval rating; recently, both the *Roanoke Times* and the *Staunton News-Leader* issued endorsements of the STAR Solutions proposal; and local support for the project is essential to its success. He further advised that it is believed that improvements to I-81 need to be made as soon as possible, and STAR Solutions believes that it has a financially viable plan to make the improvements now.

As background, it was explained that from January 1, 2000 to June 30, 2001, there were 825 accidents on Virginia's portion of I-81; accidents involving cars and trucks resulted in nine deaths and 341 injuries; the STAR Solutions proposal addresses safety and congestion issues by separating cars and trucks; it is planned to begin with the most critical areas first by adding truck climbing lanes and improving interchanges and then start the widening and separation project in the Staunton to Lexington corridor and move outward incrementally. Truck traffic sometimes exceeds 40 per cent of the number of vehicles on the road, more than double what the road was designed to handle; while numerous studies have

identified the need to widen and improve I-81, the State does not have the means to complete the project in the near future, and based upon current State spending on I-81, it could take 30-50 years to reach completion. The STAR Solutions team has a plan to reduce congestion and to improve road conditions by delivering the needed improvements sooner, and the entire project should be completed within 15 years; reducing congestion saves car and truck drivers time and money and reduces the diversions to local roads that now occur when there are accidents on I-81; and as U. S. Department of Transportation studies have shown, decreased congestion means improved air quality. These improvements could also provide an economic stimulus for the entire I-81 corridor; one recent study by the American Road and Transportation Builders Association estimates that 34,437 jobs are generated by every \$1 billion spent on transportation projects; in several communities along the route, unemployment far exceeds the State and national average, so new jobs will be welcome; and spending in localities will also boost local and State tax revenues. Funded by an electronically collected toll on large trucks, the STAR Solutions plan anticipates rebuilding I-81 in approximately 15 years with no tolls on other vehicles; a 20 year pavement warranty being offered by the team also reduces future maintenance costs, and the funding plan also frees up funds for other critical road projects. The continuing cuts to road projects across the State because of declining revenues further underscores the need for Virginia to proceed with building I-81 using the STAR Solutions concept; not only does the plan deliver much needed safety and congestion benefits, it provides a new source of funding to reconstruct the road; and while the plan does include a small State funding component, it is worth noting that reductions announced by the Commissioner and the Secretary only amount to approximately three per cent reduction in interstate funds. The PPTA process ensures that there will be significant opportunities for public input; if the STAR Solutions proposal is approved, there will be even more opportunities for input in the project planning stage; a privately conducted poll found that 85 per cent of citizens in the I-81 corridor believe it is important to widen I-81 to four lanes, with 58 per cent citing safety as the main reason for widening, 71 per cent approve tolling large trucks to cover the costs; and the conceptual proposal highlights the fact that approximately 90 per cent of the right-of-way needed for improvements already exists, meaning that there will be very minimal displacement along the route.

James Carroll, Executive Director, Sales, Transportation, Fluor, Virginia, Inc., presented the Fluor conceptual proposal for Interstate 81 corridor improvements.

He advised that the Governor has challenged the private sector to “get creative” in finding ways to improve the Interstate 81 transportation corridor, adding that, “What I’m challenging the private sector to do is show me some creative ways

that, “What I’m challenging the private sector to do is show me some creative ways to finance it – not only build it, but finance it.” He stated that Fluor Virginia, Inc., has responded to the Governor’s summons and assembled a team of the foremost financial consultants and design-build firms in the United States to meet this challenge: to develop a project that solves safety problems, is affordable, and benefits all sectors of the I-81 corridor; and the Fluor team has developed an approach that dramatically improves public safety at a reasonable cost.

Details of the plan include adding a one car-only lane in each direction to improve safety and to increase road capacity; widening the road to the inside to reduce impacts to existing structures and the need for additional road work on exits; staying within existing right-of-way to reduce costs and environmental and scenic impacts; adding ten truck climbing lanes, constructing three mainline toll facilities, installing a wireless broad band spine communications system, providing an optional 20-year asset management/maintenance proposal, providing multi-modal opportunities including rail freight diversion, passenger, rail, intercity and interstate bus, aviation and alternatives for bicycles and pedestrians. The 325 mile corridor will be divided into three project areas; each project area will be designed and constructed by a separate design-build team, which approach allows simultaneous construction execution and provides an equal focus on each area to benefit all corridor communities equally and to complete construction activities as soon as possible; and the Fluor schedule calls for starting design in 2003 and completing construction in 2011.

Fluor’s plan of finance will enable VDOT to develop, design and construct the entire 325 miles of I-81 improvements at a fixed price and deliver it on a date certain schedule, decades before conventional State/Federal financing would be available to do so; at \$1.84 billion, Fluor’s plan is \$2 billion less than the more comprehensive \$3.9 billion VDOT I-81 plan; Fluor will construct the proposed improvements without using any public funds; Fluor has identified rail capacity enhancements to the I-81 corridor of approximately \$111 million; and Fluor’s preliminary budget for the work is based upon information provided by Norfolk Southern and the Mid-Atlantic Rail Operating Report.

The Fluor team’s concept provides real and tangible benefits to the I-81 corridor communities and the Commonwealth of Virginia; Fluor has developed a concept that offers the greatest possible transportation and public safety benefit at the lowest environmental and financial costs; Fluor’s approach provides a financial plan based on a new source of revenue with no additional financial burdens for the State, while at the same time, the approach provides the flexibility to make future system improvements that can be phased in as additional transportation funding becomes available.

There being no questions and/or comments by Council Members, the Mayor advised that both presentations would be received and filed.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS:

WATER RESOURCES: The City Manager called upon Mike McEvoy, Director of Utilities, for a briefing on the status of wet weather improvements to the Water Pollution Control Plant.

Mr. McEvoy advised that the purpose of the project is to adopt wet weather flows at the Water Pollution Control Plant during rain events; the Plant is permitted for 42 million gallons per day, and approximately 37 million gallons flow through the Plant on an average day, therefore, the Plant is close to capacity. He stated that problems occur during wet weather events with infiltration of rain water into the ground and then into the sewer lines, which is a common problem in all five jurisdictions served by the Plant, with flows on a peak hour basis sometimes exceeding 120 million gallons per day, thereby overwhelming the ability of the Plant to handle a large amount of flow in a short time frame. He referred to the State's Consent Order to begin construction in September, 2003, and it is proposed to construct the project in three contracts which will shorten the construction period by approximately six months. By dividing the project into three contracts, he explained that a larger pool of contractors will be available to choose from since there are a limited number of contractors on the East Coast that could bid and bond in the project's price range, and by breaking the project down into smaller projects, it is anticipated that more contractors will be attracted leading to better bid prices. He explained that the first contract includes a 30 month construction schedule to renovate the existing facility at the front of the Plant, the second contract involves installing two new clarifiers and certain handling improvements and floor protection elements, the third contract relates to building renovations involving approximately a 15 month construction schedule, and all contracts can be handled concurrently and managed at the same time. He explained that the original project design report recommended a project in the range of \$74 million which is unaffordable at this time; therefore, a project in the neighborhood of \$35 million was reviewed, however, it became apparent during the design phase that certain elements had to be constructed at this time to meet the goal of the project to handle wet weather conditions, and to address a number of piping improvements that will require structures to be constructed over them, which has caused the project scope to

increase to approximately \$48 million, including design, land acquisition, roadway improvements near the plant, construction, and a 15 per cent contingency. He noted that the original \$74 million project anticipated a Plant that would handle 62 million gallons per day, with a peak hour capacity of 160 million gallons, and under the current design, 55 million gallons per day can be treated, with a peak hour capacity of about 160 million gallons. He stated that partner jurisdictions are close to finalizing a funding agreement, and the current contract allocating flow and monthly charges requires that each time the Water Pollution Control Plant undergoes an upgrade in excess of \$2 million, a separate addendum to the contract must be negotiated for cost sharing. He advised that final details of the funding agreement will be brought to Council within the next several weeks, which provides that each locality will pay its share of costs based on flow allocations in the Plant, and the City of Roanoke's share of the project is approximately \$23.6 million, which is up from the original estimate of approximately \$17.5 million.

Mr. McEvoy advised that a rate increase will be required to handle debt service which is proposed through two budget cycles: a 20 per cent increase for fiscal year 2004 and a 15 per cent increase in fiscal year 2005. He stated that a loan has been acquired through the Virginia Resource Authority at a reasonable rate of 3.75 per cent; land acquisition near the Water Pollution Control Plant is continuing and title and appraisal work have been completed on several of the houses; and a construction manager has been selected through the request for proposals process which involved the other partner jurisdictions. He called attention to opportunities for minority contractors, and a series of breakfast meetings have been scheduled to bring representatives of large construction firms to the City of Roanoke to meet with local contractors prior to bidding the project.

Mr. McEvoy called attention to a report of the City Manager scheduled later on the agenda to approve the hiring of a construction manager for the project, and advised that it is proposed to use a third party construction administrator, as opposed to an engineer, which will provide additional separation and the third party has no preference in regard to design itself, or any vested interest in design of the project. He explained that because of the amount of funds involved in the contract, there will be several months when \$1 - 2 million per month will be expended in construction-related services; i.e.: two full time inspectors, plus one half time inspector and speciality electrical and contracting inspectors. In order to save money, he stated that it is proposed to hire secretarial support instead of using secretarial support provided by the contractor, which will decrease overhead costs, and it is also proposed to use one of the houses that will be purchased near the Water Pollution Control Plant for office space.

Following questions by Council Members, the Mayor advised that without objection by Council, the briefing would be received and filed.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-WATER RESOURCES: The City Manager submitted a communication advising that in June 2002, Council authorized the design of Wet Weather Improvements at the Regional Water Pollution Control Plant, which design effort included an aggressive schedule for completion based upon terms negotiated with State regulatory agencies; and the schedule culminates in a September start date for construction activities at the facility.

It was further advised that in an effort to ensure that the project fully meets all defined expectations and that constructed elements represent the best economic alternatives for the region, a second request for proposals for completion of Engineering Peer Review Services and Project Management Services for the construction phase was issued in October 2002; the City Manager would like to award a contract for the above described work to Construction Dynamics Group, Inc., a Maryland Corporation, with offices in Richmond, Virginia; the firm was selected from the 12 proposals that were submitted; said contract will be in an amount not to exceed \$2,001,271.00, however, it will be necessary to provide funding and the City's portion of funding is \$914,781.00.

It was noted that significant provisions of the contract include liquidated damage provisions related to project management (\$50,000.00 in damages if the Project Manager is replaced), as well as two significant cost saving alternatives; the first cost saving measure includes the temporary re-use of neighboring properties and structures currently being acquired as office space for the project; and the second cost saving measure is for the City to provide a full time project administrative secretary, which will result in a savings of approximately \$100,000.00 over the anticipated three year project schedule.

It was explained that Utility Staff and the Department of Finance have completed a State Revolving Loan Fund application to request reduced interest project funding from the State; the State has returned an initial approval of the loan request with a competitive interest rate; a future report will be submitted from staff for consideration by Council of the financing option; terms of the loan require that the closing date for the funds coincide with a construction start date, therefore, requiring that the locality bear the cost of engineering services at the beginning of the project; in order to proceed with the work as expeditiously as possible, cost of

the contract will require an appropriation from the Water Pollution Control Fund Retained Earnings, and the Water Pollution Control Fund will then reimburse itself if and when the loan is initiated.

The City Manager advised that the balance of funds will be provided from contributions by partnering jurisdictions according to a mutually agreed cost allocation formula, which is substantially similar to those as set forth in the Multi-Jurisdictional Contract of November 1994.

The City Manager recommended that Council authorize one full-time Administrative Secretary position to assist with project administration to run concurrently with duration of the project; and advised that funding for the position for the upcoming year will be included as part of the fiscal year 2004 budgeting process.

Mr. Dowe offered the following budget ordinance:

(#36261-031703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Water Pollution Control Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 162.)

Mr. Dowe moved the adoption of Ordinance No. 36261-031703. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

Mr. Dowe offered the following resolution:

(#36262-031703) A RESOLUTION declaring the City's intent to reimburse itself from the proceeds of its tax-exempt obligations for certain moneys to be appropriated by the City for the City's share of expenditures under a Contract for Engineering and Consulting Services with Construction Dynamics Group, Inc., in connection with wet weather improvements to the Regional Water Pollution Control Plant; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 67, page 163.)

Mr. Dowe moved the adoption of Resolution No. 36262-031703. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES:

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting appropriation of funds to the following school accounts; and a report of the Director of Finance recommending that Council concur in the request, were before the body.

\$2,509.00 for the Child Specialty Services program to provide funds for the salary and expenses of the educational coordinator, said funds to be reimbursed 100 per cent by State funds.

\$254,869.00 for the Juvenile Detention Home program to provide funds for the salary and expenses of three educational coordinators, to be reimbursed 100 per cent by State funds.

\$4,000.00 for the Expanded GED Testing Services program to operate a satellite GED test center at the Virginia Employment Commission and expand the testing services in the Roanoke City testing area, to be reimbursed 100 per cent by State funds.

\$250,000.00 for the cost of architectural fees for the development of construction documents for the Patrick Henry High School project; and funding for the project is provided equally from City Capital funds and Schools' Debt Service Reserve.

Mr. Harris offered the following budget ordinance:

(#36263-031703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 School and School Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 165.)

Mr. Harris moved the adoption of Ordinance No. 36263-031703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

UNFINISHED BUSINESS: NONE.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

CITY COUNCIL: Mr. Bestpitch offered the following resolution eliminating the provision for fifth Monday Council meetings:

(#36264-031703) A RESOLUTION amending Paragraph 2 of Resolution No. 35958-070102, which established a meeting schedule for City Council for the Fiscal Year commencing July 1, 2002, and terminating June 30, 2003, by eliminating subsection (c) of Paragraph 2 which provided for meetings of City Council to be held on each fifth Monday for the purpose of receiving briefings and reports of Council members serving in liaison capacities on various committees and for planning purposes.

(For full text of Resolution, see Resolution Book No. 67, page 168.)

Mr. Bestpitch moved the adoption of Resolution No. 36264-031703. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

TRAFFIC-TRANSPORTATION SAFETY: Council Member Bestpitch called attention to concerns expressed by drivers regarding speeding citations on Towne Square Boulevard, N. W., between Valley View Boulevard and Airport Road. He

advised that there is a 25 miles per hour speed limit sign on one side of the road, but not on the other side, and asked that the matter be referred to the City Manager for report to Council.

FLOOD REDUCTION/CONTROL-EQUIPMENT: Council Member Bestpitch requested a review of the City's procedure for removing City equipment from flood prone areas.

POLICE DEPARTMENT-COMMITTEES-NEIGHBORHOOD ORGANIZATIONS-COMMUNITY PLANNING-TRANSPORTATION SAFETY: Council Member Carder expressed concern with regard to speeding vehicles in Roanoke's residential neighborhoods. He requested that the City Manager appoint a committee composed of law enforcement representatives, City Planning staff, neighborhood representatives and citizens to review actions taken by other localities to slow down traffic and to make neighborhoods safer.

ACTS OF ACKNOWLEDGMENT-SPECIAL EVENTS: The Mayor and Council Member Wyatt congratulated all persons involved in the St. Patrick's Day Parade which was held on Saturday, March 15, 2003.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

No citizens requested to be heard.

CITY MANAGER COMMENTS:

ACTS OF ACKNOWLEDGMENT-SPECIAL EVENTS: The City Manager commended all persons involved in the St. Patrick's Day Parade which was held on Saturday, March 15, 2003.

FLOOD REDUCTION/CONTROL-EQUIPMENT: The City Manager spoke to previous remarks of Council Member Bestpitch in regard to reviewing the City's procedure for the removal of equipment in flood prone areas. She advised that following the flood of 1985, the City, realizing the potential impact of the 100 year flood, did, in fact, modify its building code to provide for building requirements of different magnitude in flood prone areas of the City than elsewhere; and a current requirement provides that any occupied space by human beings must be at least 8.5 feet above the flood plain, which was taken into account as a decision was made to redevelop the Reserve Avenue area.

She advised that the recent flood experienced by the City was abnormal; using scientific data that has been gathered over the years, the City and other jurisdictions took its advice on the projected height of the water from the National Weather Service in Blacksburg, which has, for many years, taken readings at various locations, and based upon National Weather Service readings, keyed off of what should be the highest height of the water in Roanoke within a projected time frame. She noted that history in this instance proved itself wrong because the water did come to a higher level than was anticipated and did not key off of certain prior readings. She explained that the City has taken steps to review the abnormality and the Corp of Engineers and others are looking at what might have created the problems (development that has occurred over the years so that topography has changed, or a temporary structure was created within the Roanoke River that may have precipitated the unusual height of the river). She stated that the City took immediate steps to call in staff; two pieces of City equipment were lost in the flood, numerous pieces of equipment received water coverage and staff took immediate steps to move those pieces of equipment to dry and warm areas and to engage in immediate “triage” where staff took into account the length of time that the vehicles had been exposed to water and which vehicles stood the greatest opportunity for damage. She called attention to the assistance of Valley Metro mechanics and City employees who are excellent mechanics in their own right. She assured the Members of Council that City staff is critiquing this particular flood to determine if the information has changed and if the City should react differently in the future. She stated that it is unfortunate that the City has equipment that must be stored in that area of the City at the present time, and called attention to plans to move part of the equipment on a permanent basis to the Public Works Service Center. She noted that Council has signaled its intent, long term, to make the area available for future and better use, with the Roanoke River serving as an amenity.

The City Manager assured the Members of Council and the citizens of Roanoke that staff acted on the best information that was available at the time and chose to discard some of the information in order to act appropriately, and City staff will continue to review the incident so that if the City experiences a future flood event, staff will be in a position to respond as quickly as possible. The City Manager stated that she was pleased to report that initial damage estimates on the equipment have been reduced to a minimum by comparison to what original estimates were anticipated to be.

At 3:45 p.m., the Mayor declared the meeting in recess for four closed sessions.

At 5:20 p.m., the meeting reconvened in the City Council Chamber.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

At 5:20 p.m., the Mayor declared the Council meeting in recess until 7:00 p.m., in the City Council Chamber.

At 7:00 p.m., on Monday, March 17, 2003, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Ralph K. Smith presiding.

PRESENT: Council Members William D. Bestpitch, William H. Carder, M. Rupert Cutler, Alfred T. Dowe, Jr., C. Nelson Harris, Linda F. Wyatt and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The invocation was delivered by Mayor Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

POLICE DEPARTMENT-ACTS OF ACKNOWLEDGMENT: The Mayor recognized Roanoke Police Explorer Scout Post 616, recipient of the 2002 Youth Award by the Southwest Regional Crime Prevention Association. He advised that the Youth

Award is presented to a youth group, or individual, under the age of 18 who has promoted crime prevention in the community through awareness campaigns, volunteerism, and other projects. He stated that Roanoke Police Explorer Scout Post 616 has performed extraordinary work in their commitment, dedication and selfless service to the community, they are often called upon and requested to volunteer their energy and enthusiasm, and they have volunteered at such activities as National Night Out, Special Olympics fundraising events, League of Older Americans, "Lunch on the Lawn", Clean Valley Day, Christmas in April, the Virginia Commonwealth Games and they routinely volunteer at the Bradley Free Clinic. He commended Scout Post 616 on being a well mannered and disciplined group of youth who personify role models for today and great leaders for tomorrow.

PUBLIC HEARINGS:

NEIGHBORHOOD ORGANIZATIONS/PLANS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, March 17, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, on an Amendment to Vision 2001-2020, the City's Comprehensive Plan, to add the Gainsboro Neighborhood Plan, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, March 7, 2003, and Friday, March 14, 2003, and in The Roanoke Tribune on Thursday, March 13, 2003.

The City Planning Commission submitted a written report recommending that Council adopt, as a component of Vision 2001-2020, the Gainsboro Neighborhood Plan, as modified on February 20, 2003.

Mr. Cutler offered the following ordinance:

(#36265-031703) AN ORDINANCE approving the Gainsboro Neighborhood Plan, and amending Vision 2001 - 2020, the City's Comprehensive Plan, to include the Gainsboro Neighborhood Plan; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 170.)

Mr. Cutler moved the adoption of Ordinance No. 36265-031703. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons in attendance who would like to speak in connection with the matter.

The first person signed up to speak on the matter was Mr. Charles A. Price, who, when called upon to speak, deferred.

Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., pointed out that photographs of the Gainsboro neighborhood will be submitted for inclusion in the Neighborhood Plan, and additional development proposals for Henry Street will be submitted. In regard to the Total Action Against Poverty proposal, she advised that there was no discussion or agreement within neighborhood meetings regarding relocation of the Harrison Museum of African-American Culture, and asked that her comments not be interpreted to portray disagreement with the move. She stated that it was reported during the meetings that neighborhood groups would like no buildings on Henry Street to be taller than four stories, and noted that buildings taller than four stories should not be permitted inasmuch as such structures would be historically incorrect. On behalf of those organizations that participated in the meetings, she expressed appreciation to City staff and to the City Planning Commission who worked with the neighborhoods to complete the Gainsboro Neighborhood Plan.

Mr. Charles A. Price, 3201 Willow Road, N. W., asked to be heard; whereupon, the Mayor advised that he would recognize Mr. Price; however, in the future, speakers are requested to address Council in the order in which they registered to speak.

Mr. Price advised that the plan developed by the Roanoke Neighborhood Development Corporation (RNDC) in 1997-98 regarding Henry Street was prepared with community input and developed based upon zoning and potential use at that time for the area. He stated that RNDC was involved in development of the adjacent parking area, as well as the parking garage, and considerable time was involved in addressing vista/height limitations and overall scope and scale. He disagreed with Ms. Bethel's remarks in connection with the height of the buildings, because the area, insofar as height was concerned, was restricted as a visual means to allow an overall overview from downtown into the Gainsboro community, and to allow maximum development in the other adjacent C-3 areas, and insofar as height and zoning issues, buildings will be developed with that in mind. He stated that it is not the intent of RNDC to place restrictions on the northwestern part of the site, because of the view that will allow for the potential of development, and the RNDC plan prepared for the Henry Street area was not restrictive in the sense as noted by Ms. Bethel in her comments.

There being no further speakers, the Mayor declared the public hearing closed.

Council Member Cutler inquired if the name Henry Street could be used instead of First Street, since it is confusing to talk about Henry Street when Henry Street no longer exists. In regard to a comment that a central meeting place is needed for community activities, he advised that the Harrison School is located across 5th Street from the Gainsboro neighborhood, and the Harrison School should be protected and adaptively reused, with or without the Harrison Museum's principle which will be moved to the Dumas Center. He stated that the Harrison School is a logical place for a community activities center and suggested that the matter be discussed in the future. He noted that during discussion of the repair, widening and reuse of the First Street Bridge as the Martin Luther King, Jr. Memorial Bridge, it was mentioned that the bridge would be a logical place for the Lick Run Greenway to move across the railroad tracks from The Hotel Roanoke into downtown Roanoke, and asked that future implementation of the Gainsboro Neighborhood Plan include a reference that the Lick Run Greenway will cross the Martin Luther King, Jr. Memorial Bridge.

There being no further discussion, Ordinance No. 36265-031703 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

SPECIAL PERMITS: Pursuant to previous action of the Council, the City Clerk having advertised a public hearing for Monday, March 17, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposal of the City of Roanoke to grant a revocable license permitting the encroachment of parking spaces eight feet into the public right-of-way at 3308 Franklin Road, S. W., the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, March 7, 2003.

The City Manager submitted a communication advising that property owners at 3308 Franklin Road, S. W., have requested permission to implement a new parking configuration to accommodate the addition of two handicapped parking spaces, and

the new configuration will create an encroachment into the public right-of-way; the requested revocable encroachment will extend approximately eight feet into the right-of-way of Franklin Road, S. W., at grade level, and the right-of-way of Franklin Road at this location is approximately 190 feet in width.

It was further advised that liability insurance and indemnification of the City by the property owner will be provided by the property owner, subject to approval by the City's Risk Manager.

The City Manager recommended that Council adopt an ordinance, to be executed by the property owners, Kenneth and Linda Cumins, and recorded in the Clerk's Office of the Circuit Court for the City of Roanoke, granting a revocable license to allow construction of parking spaces encroaching into the right-of-way at 3308 Franklin Road, S. W.

Mr. Harris offered the following ordinance:

(#36266-031703) AN ORDINANCE granting a revocable license to allow the encroachment of parking spaces extending eight (8) feet into the public right-of-way at grade level, to implement a new parking configuration to accommodate the addition of two handicapped parking spaces, upon property located at 3308 Franklin Road, S. W., bearing Official Tax No. 1300116, upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 171.)

Mr. Harris moved the adoption of Ordinance No. 36266-031703. The motion was seconded by Mr. Carder.

There being none, he declared the public hearing closed.

The Mayor inquired if there were persons in attendance who would like to speak in connection with the matter.

There being no discussion by Council, Ordinance No. 36266-031703 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

AIRPORT-SIGNS/BILLBOARDS/AWNINGS-SPECIAL PERMITS: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, March 17, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposal of the City of Roanoke to grant a revocable license to the Roanoke Regional Airport Commission for encroachment of an overhead directional sign approximately 58 feet into the public right-of-way of Aviation Drive, N. W., approaching the main entrance of the Airport Terminal Building, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, March 7, 2003.

The City Manager submitted a communication advising that the Roanoke Regional Airport Commission, owner of property along Aviation Drive, N. W., has requested permission to install an overhead directional sign, with all necessary appurtenances thereto, approaching the main entrance to the Airport Terminal Building; the proposed sign will create an encroachment into the public right-of-way of Aviation Drive, N. W.; the revocable encroachment will extend approximately 58 feet into the right-of-way of Aviation Drive; the right-of-way of Aviation Drive at this location is approximately 158 feet in width; and liability insurance and indemnification of the City by the applicant shall be provided, subject to approval by the City's Risk Manager.

The City Manager recommended that Council adopt an ordinance, to be executed by the property owner and recorded in the Clerk's Office of the Circuit Court for the City of Roanoke, granting a revocable license to the Roanoke Regional Airport Commission, to allow installation of a directional sign encroaching into the right-of-way of Aviation Drive, N. W.

Mr. Harris offered the following ordinance:

(#36267-031703) AN ORDINANCE granting a revocable license to permit the encroachment of an overhead directional sign, extending approximately fifty-eight (58) feet into the public right-of-way of Aviation Drive, N. W., upon certain terms and conditions; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 173.)

Mr. Harris moved the adoption of Ordinance No. 36267-031703. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons in attendance who would like to speak in connection with the matter.

There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36267-031703 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

AIRPORT-LEASES: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, March 17, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to a proposal of the City of Roanoke to convey approximately 800 square feet of property bearing Official Tax No. 6640123 to the Federal Aviation Administration, conditioned upon an agreement with the Hertz Corp. to amend a Lease Agreement removing an 800 square foot area from the lease, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, March 7, 2003.

The City Manager submitted a communication advising that the Federal Aviation Administration is in the process of acquiring sites to install Low Level Wind Shear Alert System Remote Sensors, and one of the proposed sites is on City-owned property currently leased by the Hertz Corp.; and the lease with the Hertz Corp. provides that the lease is subject to and subordinate to provisions of any future agreement between the City of Roanoke and the United States relative to operation, improvement or maintenance of the Roanoke Regional Airport.

It was further advised that the FAA has offered to buy the site, consisting of approximately 800 square feet, for the sum of \$42,000.00; the area is currently contained within a portion of the area that the City has leased to the Hertz Corp.; and the Hertz Corp. has verbally agreed to an amendment to its lease whereby the 800 square foot area would be released from the lease agreement for a corresponding reduction in the amount of monthly lease payments made by the Hertz Corp. to the City.

The City Manager recommended, following the public hearing, that she be authorized to execute the appropriate documents, including a contract and deed, to convey the subject property containing approximately 800 square feet to the United States of America, such documents to be approved as to form by the City Attorney; with such approval to be specifically conditioned upon the Hertz Corp. executing an amendment to the lease agreement between the Hertz Corp. and the City of Roanoke removing the 800 square foot area from the lease agreement; and the grantee will be responsible for all title work, surveying, plat preparation, and preparation of legal documents.

Mr. Harris offered the following ordinance:

(#36268-031703) AN ORDINANCE authorizing the City Manager to execute agreements, deeds and any related and necessary documents providing for the conveyance to the United States of America of a portion of City-owned property identified by Official Tax Map No. 6640123, consisting of 800 square feet, located on Municipal Road, for the installation of Low Level Wind Shear Alert System Remote Sensors; upon certain terms and conditions, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 67, page 175.)

Mr. Harris moved the adoption of Ordinance No. 36268-031703. The motion was seconded by Mr. Cutler.

The Mayor inquired if there were persons in attendance who would like to speak in connection with the matter.

There being none, he declared the public hearing closed.

There being no discussion by Council, Ordinance No. 36267-031703 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

PARKS AND RECREATION-CITY PROPERTY-BLUE RIDGE PUBLIC TELEVISION: Pursuant to action of the Council, the City Clerk having advertised a public hearing for Monday, March 17, 2003, at 7:00 p.m., or as soon thereafter as the

matter may be heard, with regard to a proposal to convey five acres of City-owned property to Blue Ridge Public Television (BRPT), being a portion of Fishburn Park currently used by BRPT for its station and located off of Colonial Avenue, S. W., and to impose a restriction on a 6.8-acre portion of Fishburn Park that such property will be used for park purposes, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Monday, March 10, 2003.

The City Attorney submitted a written report advising that since 1966, the City has leased to Blue Ridge Public Television (BRPT) five acres of Fishburn Park, on which BRPT has constructed its television station; the current lease ends on November 14, 2004, and BRPT has offered to purchase the five acres from the City for the sum of \$100,000.00; approximately two and one half acres of the parcel of land leased to BRPT are encumbered by a restriction placed upon the property when it was conveyed to the City in 1935 by the late Blair J. Fishburn, limiting use of the land to "park purposes"; and BRPT wishes to have this restriction removed from the property to be conveyed by the City.

It was further advised that the heirs of Blair J. Fishburn have agreed to release the restriction, if 1) the City will agree to imposing a similar restriction on approximately 6.8 acres of Fishburn Park currently unencumbered with it, 2) the City will expend the proceeds of the sale of the property on improvements to Fishburn Park, and 3) BRPT will expend at least \$47,753.00 to construct the Blair J. Fishburn Community Room at its station, which room shall be available to and open to the public; and BRPT has agreed to the third item by resolution adopted on February 28, 2003.

Mr. Harris offered the following ordinance:

(#36269-031703) AN ORDINANCE authorizing the City Manager to execute an agreement, deed and any related and necessary documents providing for the sale and conveyance of City-owned property located on Colonial Avenue, S. W., lying in Fishburn Park, containing approximately 5.0 acres, more or less, a 2½ acre portion of which is encumbered by certain restrictions contained in a 1935 deed; approving removal of such restrictions, and imposition of the same deed restrictions on a 6.8 acre tract of land also lying in Fishburn Park; approving expenditure of the consideration received for the sale of this parcel for improvements to Fishburn Park, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 67, page 176.)

Mr. Harris moved the adoption of Ordinance No. 36269-031703. The motion was seconded by Mr. Dowe.

The Mayor inquired if there were persons in attendance who would like to speak in connection with the matter.

There being none, he declared the public hearing closed.

Council Member Carder called attention to the possibility that the Murray Run Greenway runs through a corner of the property in question, and, that being the case, he suggested that the City of Roanoke retain a permanent easement for the greenway, thereby ensuring no problems in the future.

The City Attorney responded that the deed will retain existing easements, and it would be prudent to prepare a survey and reserve the specific easement.

Ordinance No. 36269-031703 was adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Cutler, Dowe, Harris, Wyatt and Mayor Smith-----7.

NAYS: None-----0.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

CITY COUNCIL: The following persons addressed Council with regard to adopting a proposed measure opposing military action against Iraq by the United States of America:

Ms. Audette Fulbright, 1326 Belleview Avenue, S. W., requested that Council adopt a resolution opposing the United States threatened violation of the United Nations Charter by unilateral preemptive military action against the sovereign nation of Iraq, and the dangerous precedent such action would establish, that the President and Congress be urged to work with and through the United Nations to obtain compliance by Iraq with United Nations Security Council Resolutions, and that war should not be taken unilaterally or preemptively by the United States. She presented petitions signed by persons in support of adoption of the resolution and pointed out

that as of noon on Monday, March 17, 2003, 151 U. S. cities and counties had declared themselves peace cities and expressed their opposition to war with Iraq; two Virginia cities have declared themselves peace cities: Alexandria and Charlottesville; and nine localities are considering such declarations: Arlington County, Blacksburg, Fairfax County, Falls Church, Leesburg, Loudon County, Staunton, and Williamsburg.

Mr. Bob Fetter, 2923 Carolina Avenue, S. W., called attention to expenses associated with the war on Iraq and the occupation and rehabilitation that will follow.

Ms. Elizabeth Keyser, 714 White Oak Road, S. W., advised that the war against Iraq is a bad move on the part of the United States for five distinct reasons: (1) the tremendous toll on human life and suffering, (2) the economic toll will be overwhelming, with \$100 billion for the war alone, not taking into consideration the aftermath of the war; (3) the security of Americans is being threatened around the world; (4) the United States is losing the respect of nations around the world; and (5) Americans are losing self-respect because of the hypocritical and self-righteous nature of certain communications generated by the United States Government. She encouraged Council to adopt the proposed resolution.

The Reverend Rusty Dinkins-Curling, 2817 Cumberland Street, N. W., spoke in support of adoption of the resolution, although it appears that war is imminent. He advised that there are viable alternatives that have not been reviewed and have not been tried by the United States Government. He stated that sufficient time should be allowed for inspectors to complete the task of disarming Iraq, and that the United States declare to Iraq that if it cooperates with inspectors and disarms, it will not be attacked. He called attention to a proposal by a group of United States, British, and Anglican clergy for a six point plan that closely resembles the alternatives included in the proposed resolution, which many persons believe would be successful in disarming Iraq; and if there is a means that will work short of a war, with the associated loss of life and property and the cost of war, it should be tried.

COMPLAINTS-CITY EMPLOYEES-ROANOKE NEIGHBORHOOD PARTNERSHIP: The following persons addressed Council in connection with alleged discriminatory practices by the City; i.e.: the termination of employment of Ms. Nandini Assar, an employee of the Roanoke Neighborhood Partnership Office:

Ms. Angela Norman, 1731 Michael Street, N. W., addressed Council as a community leader and a representative of the Municipal Employee Association. She called attention to areas of employment deficits and discrimination within City

government; endorsement of the City Manager's Affirmative Action report by the President of the Roanoke Chapter, NAACP, was only one voice and did not represent the black community or other minorities; and discrimination and favoritism still exists from the top down in City management, with managers and supervisors who are fearful of losing their jobs if they do not support decisions from the top down, whether such decisions are morally and professionally right or wrong. She stated that African-Americans are purposely being hired as supervisors over other blacks as a disguise to accomplish the covering up of discrimination against targeted employees. She spoke in support of Ms. Nandini Assar, a minority employee from India, who was unjustifiably terminated from her position with the City. She stated that Ms. Assar has more education and professional experience than her supervisors; and support of her termination from the top down, again exposes the level of discrimination that is alive behind closed doors. Because favoritism is another problem, she added that some Caucasian employees are also being treated unfairly, and she has appeared before Council over a period of six years addressing this concern, because internal investigations render predetermined decisions, not favorable for employees, since the deck is stacked from the top down. She requested the assistance of Council in reaching fairness and equity for all City employees.

Ms. Nandini Assar, 311 Buckingham Place, Blacksburg, Virginia, advised that she was a City employee for 13 months; she was dismissed without notice on Friday, January 3, 2003, at 4:45 p.m., prior to a scheduled week of leave time, and she had no opportunity to address allegations about her work, despite repeated efforts. She called attention to the last document in her personnel file prior to receiving her letter of termination which was an internal promotion. She stated that she brought the matter to the attention of Council after exhausting all steps in the City's published grievance procedure. She explained that she experienced racial, ethnic and other discrimination and prejudice in her employment; she was dismissed without cause; she was hired as a temporary employee in November, 2001, with the understanding that a permanent position would become available shortly thereafter; in June, 2002, she was promoted to permanent full-time status to the position of Neighborhood Development Specialist, and was offered a salary, in writing, that was lower than her wages as a temporary employee; and upon accepting the position, the written offer was further reduced, without discussion, when she received her final letter of appointment and duties of the position were downgraded, which is typical of discriminatory practices. She stated that feedback was denied, and when she filed a grievance, it was ignored. She explained that she was hired to work with neighborhood groups and to render support in efforts to enhance neighborhoods; however, the day after her promotion, she was directed

to move to a new work station and answer telephones at the City's call center with no previous training for the new duties. She advised that she informed her supervisor that while she was willing to help, this was not the best use of her capabilities and thus a waste of taxpayers' money, which issues were not addressed by her supervisor. She stated that she worked under hostile supervision and without adequate support and training, her supervisor often provided contradictory directions, her questions were unanswered and feedback was not forthcoming. She stated that on January 3, 2003, she was given a letter of termination alleging poor customer service and neglect, although no record exists of poor customer service in her personnel file and despite several requests, she was not provided with a copy of the signed written evaluation or any supporting documentation. She explained that she has complied with the City's grievance procedure, and requested that Council review the situation and that she be reinstated with the offer of employment dated June, 2002, and with provisions for supervision that are conducive to success.

Ms. Peggy Blankenship, 2316 Russell Avenue, S. W., President of the Norwich Neighborhood Alliance, spoke on behalf of Ms. Assar. She advised that for some time the Norwich organization experienced difficulties with the Roanoke Neighborhood Partnership Office, which provided limited guidance until the arrival of Ms. Assar. She stated that Ms. Assar assisted the organization in obtaining a \$10,000.00 Community Development Block Grant for the Norwich neighborhood, and she provided the necessary leadership and guidance on behalf of an office of the City that is vital to the well being of Roanoke's neighborhoods.

Ms. Sandra Eanes, 1616 Stewart Avenue, S. E., commended the work of Ms. Assar in assisting the Southeast Action Forum. She advised that Ms. Assar is well informed, and she has been a great asset to the Roanoke Neighborhood Partnership. She requested that Ms. Assar be reinstated to her position of Neighborhood Development Specialist.

Mr. Lewis Grogan, 528 Chestnut Avenue, N. W., spoke in support of the assistance rendered by Ms. Assar to the Northwest Neighborhood Improvement Council. He advised that Ms. Assar was helpful in providing the necessary information in the grant process, and she has performed her duties and responsibilities with integrity and professionalism. He stated that Roanoke's neighborhoods are suffering because the grant process, which is important to Roanoke's communities, has been interrupted, and requested that Ms. Assar be reinstated in her position so that Roanoke can go back to the process of improving its neighborhoods.

Ms. Kathy Hill, 509 Arbor Avenue, S. E., spoke in support of the reinstatement of Ms. Assar to her position. She called attention to other employees in the Roanoke Neighborhood Partnership Office who have either been replaced, or assigned to work in other City departments. She stated that Ms. Assar was unfairly terminated and the circumstances of her termination should be investigated, followed by corrective action.

Ms. Adrian Brown, 813 Gilmer Avenue, N. W., spoke on behalf of Ms. Assar and other City employees who have suffered, are suffering, and will suffer from discrimination at the hands of those who are practicing different forms of discrimination. She stated that she worked with Ms. Assar, who displayed characteristics of strength of character and dedication to the values that City employees hold dear – competence, fairness and respect; she practiced excellent customer service with neighborhoods and provided a positive influence on citizens. She added that Ms. Assar, like many other City employees, fell victim to what appears to be a corrupt departmental system that should be changed; and some employees have left the City, some are waiting in the wings for the “shoe to fall”, and some do not know that they will be a victim in the future. She asked that Council listen carefully to what is being said because most City employees suffer in silence.

COMPLAINTS-CITY EMPLOYEES: Mr. Robert Gravely, 3360 Hershberger Road, N. W., advised that the last time he appeared before Council, he was denied his first amendment right to freedom of speech. He advised that Council Members are elected to represent all of the citizens of Roanoke and not a select few. He expressed concern with regard to the City’s pay scale, and the use of taxpayers’ dollars to construct large buildings and to attract businesses to the City of Roanoke.

NEIGHBORHOOD ORGANIZATIONS/PLANS-COMPLAINTS-CITY EMPLOYEES-CITY COUNCIL: Ms. Evelyn D. Bethel, 35 Patton Avenue, N. E., advised that the world is in crisis, with people crying for peace; and it is disturbing to hear citizens request that their City Council issue a resolution for Roanoke to be a city of peace, and the reaction of Council to not respond in any way is disturbing. She stated that it is also disturbing when an individual defers to address Council, and later is allowed to address comments made by a previous speaker with little reference to the Neighborhood Plan which was the topic of discussion. She added that it is also disturbing to hear a City employee indicate specifically how he or she has been discriminated against, and other City employees have addressed Council in the past with their concerns of discriminatory practices without any response by Council. She asked that Council work with City employees and Roanoke’s neighborhoods so that they can be the best they are capable of becoming.

There being no further business, the Mayor declared the meeting adjourned at 8:10 p.m.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

April 7, 2003

9:00 a.m.

The Council of the City of Roanoke met in regular session on Monday, April 7, 2003, at 9:00 a.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended; and pursuant to Resolution No. 36193-010603 adopted on January 6, 2003, which changed the time of commencement of the regular meeting of Council to be held on the first Monday in each month from 12:15 p.m. to 9:00 a.m.

PRESENT: Council Members William H. Carder, M. Rupert Cutler, William D. Bestpitch, and Mayor Ralph K. Smith-----4.

ABSENT: Council Members C. Nelson Harris, Alfred T. Dowe, Jr., and Linda F. Wyatt (arrived late) -----3.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a special award, being the Shining Star Award, pursuant to Section 2.2-3711 (A)(10), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.

NAYS: None-----0.

(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the Mayor to convene in Closed Meeting as above described. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.

NAYS: None-----0.

(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.

NAYS: None-----0.

(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)

PURCHASE/SALE OF PROPERTY-CITY COUNCIL-CITY PROPERTY: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion

in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A) (3), Code of Virginia (1950), as amended.

Mr. Bestpitch moved that Council concur in the request of the City Manager to convene in Closed Meeting as above described. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Cutler, Bestpitch and Mayor Smith-----4.

NAYS: None-----0.

(Vice-Mayor Harris and Council Members Dowe and Wyatt arrived late.)

At 9:05 a.m., the Mayor declared the meeting in recess.

The Council meeting reconvened at 9:10 a.m., in Room 159, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with Mayor Smith presiding, and all Members of the Council in attendance. (Mr. Dowe arrived at 9:30 a.m.)

ITEMS LISTED ON THE 2:00 P.M. COUNCIL DOCKET REQUIRING DISCUSSION, CLARIFICATION; AND ADDITIONS/DELETIONS TO THE 2:00 P.M. DOCKET:

SALE/PURCHASE OF PROPERTY-BUDGET-WATER RESOURCES: The City Attorney presented an additional measure for consideration by Council at its 2:00 p.m., session in connection with the City Manager’s communication recommending execution of Change Order No. 2 to the contract with Golder Associates, Inc., for ground water exploration investigation and work, with regard to development of additional water sources to increase the City’s water supply; an option agreement to purchase property located at 1905 Riverdale Road, S. E., to be used as a well site; and appropriation of funds. (Agenda item 6.a.6.)

HABITAT FOR HUMANITY: Dr. Cutler referred to an item on the 2:00 p.m., Council docket pertaining to a request of Habitat for Humanity in the Roanoke Valley, Inc., to present a faux check representing property taxes, permit fees, and local sales taxes paid to the City and to discuss new house designs. He called attention to a concern of Habitat for Humanity in regard to the City’s reaction to its proposal to construct six to twelve new houses; however, there appears to be a reluctance on the part of the City Manager to approve the proposal.

The City Manager advised that Habitat for Humanity has constructed 120+ low to moderate income houses in the City of Roanoke, most of which were constructed prior to the Council's discussion regarding ways to deconcentrate low and moderate income housing throughout the City, and to disperse such housing so that there is not a high concentration of any one socio-economic status in the community. She stated that direction has been provided to Habitat indicating that the City is prepared to make funds available through the Community Development Block Grant program, but housing should not be constructed in such a way as to further concentrate housing in a particular area of the City; however, Habitat has not responded to the offer. She explained that the City, through the Roanoke Redevelopment and Housing Authority, owns a tract of land on which Habitat is interested in constructing a significant number of houses, which is in addition to a parcel of land that Habitat currently owns that would provide the opportunity for construction of six or more houses; however, it is the opinion of City staff that no further housing should be concentrated in that specific area of the City. She noted that City staff has been supportive of Habitat for Humanity and encouraged Habitat to modify its housing design so that in the future Habitat homes will be more in keeping with the overall neighborhood and the houses will not stand out in a way that makes it obvious that the structure is either a Habitat house, or the occupant is of low to moderate income status; therefore, Habitat has agreed to construct different size houses, with multiple arrangements for bedrooms, porches, etc. She advised that there continues to be a concern about the concentration of Habitat houses in one part of the City; Habitat has advocated minimum acreage for its houses so as to maximize the number of houses that can be constructed on a particular parcel of land; and City staff believes that the approach should be to locate Habitat houses in all neighborhoods, to use infill properties, and to construct houses of a similar character to those already existing in the neighborhood. She stated that Habitat for Humanity has been advised that the City of Roanoke cannot continue to be the low and moderate income housing capital of southwest Virginia and the City has suggested that Habitat should acquire property in other areas of the region.

The City Manager explained that staff's recommendation in no way affects Habitat's ability to purchase property and to build as would any private developer, but in large measure, Habitat for Humanity has been able to construct many houses in the City of Roanoke because the City has made property available to the organization.

Council Member Dowe entered the meeting.

SCHOOLS: Vice-Mayor Harris referred to an item on the 2:00 p.m. Council docket pertaining to the selection of persons to be formally interviewed for the position of School Trustee on April 24, 2003, beginning at 4:30 p.m. He advised that Council may interview up to three persons per vacancy, or nine applicants; however, Council could interview less than nine persons if it so desires. He stated that it would be appropriate to reach a consensus of the Council at this time as to those persons who will be formally interviewed.

Following discussion, it was the consensus of Council that the following persons will receive the formal interview on April 24, 2003, at 4:30 p.m., in the Council Chamber, and all other applicants will be eliminated from the School Trustee selection process:

Dennis M. Binns
F. B. Webster Day
Tiffany M. Johnson
Gloria P. Manns
Kathy G. Stockburger
David B. Trinkle

TOPICS FOR DISCUSSION BY THE MAYOR AND MEMBERS OF COUNCIL:

COUNCIL-SCHOOLS-BUDGET: The City Manager advised that Council is scheduled to meet with the School Board in budget study session on Thursday, May 8, 2003, at 8:30 a.m. She explained that because the fiscal year budget has been established by that time, the meeting is not strictly a budget session, but could provide an opportunity to discuss other issues. She called attention to an item of significant importance to the Council and to the School Board; i.e.: a detailed presentation by the School Board on plans for renovations to Patrick Henry High School, and noted that the Patrick Henry project is the most significant capital expenditure for any one item in the school system in many years, however, no in-depth presentation has been made to the Council.

Following a discussion of the matter, it was the consensus of Council to request a detailed briefing on Patrick Henry High School renovation plans; a briefing on vocational/technical education and the changing needs of society, recognizing that a four-year college degree will not be the demand for most jobs of the future, financial support by the School Board for vocational/technical education, the School Board's philosophy/definition of vocational/technical education and its future, the future of the Blue Ridge Technical Academy, the sharing of the principalship between the Blue Ridge Technical Academy and the Noel C. Taylor Learning Academy, a clarification of the focus of the Blue Ridge Technical Academy and the Gibboney Career and Technical Education Program, and a brief summary of the School Board's proposed fiscal year 2004 budget.

It was suggested that the budget information be provided to the Council in advance of the May 8 meeting for review.

BRIEFINGS BY STAFF:

FLEET MANAGEMENT: The City Manager introduced Robert D. Frazier, Manager, Fleet Management, for a briefing on the City's vehicular fleet and equipment, and reductions in the fleet which are proposed in the fiscal year 2004 budget.

Mr. Frazier presented information on the mission and vision of Fleet Management, a utilization survey, performance measures, a vision for the future and key steps that are necessary to accomplish the vision. He advised that staff's vision to be the best Fleet Management organization in the Commonwealth of Virginia by the year 2005 is in concert with Goal No. 4 of City's Strategic Plan 2003. He stated that a utilization survey revealed that approximately 884 vehicles and pieces of equipment are managed by the Fleet Management Division and as a result of research through the American Public Works Association, minimum standards were developed for maintaining and utilizing City vehicles; and survey results information was provided to City department managers inquiring as to the amount of utilization of equipment/vehicles, is the equipment being properly utilized, are there ways to consolidate equipment, are there ways to eliminate certain equipment, and is it possible to work in a new mode with fewer vehicles and equipment. He stated that the departments also looked at how they are budgeted in comparison to other municipalities in the Commonwealth of Virginia and it was determined that Roanoke is ranked 6th in budgeted dollars but 3rd in fleet size, and in reality the City of Roanoke is spending about \$1,000.00 per vehicle, but budgeted at just over \$700.00 per vehicle.

He explained that the first goal was to match the size of Roanoke's fleet to the needs and utilization of the Fleet Management department, and to ensure that the department could properly maintain the fleet of vehicles, which, in today's market means more than just purchasing parts and equipment, but the training of technicians that involves investment of a lot of time and money to ensure that technicians receive the training they need to properly diagnose and repair equipment. In addition, he stated that vehicles and diagnostic tools are updated each year so as to identify vehicular problems; there was a need to eliminate and to consolidate vehicles wherever possible, therefore, department managers were requested to identify those areas where operations could be consolidated, where vehicles could be shared by more than one City department through a motor pool, and 35 vehicles and pieces of equipment are currently included in the City's motor pool. He noted that voluntarily, department managers eliminated 90 vehicles and pieces of equipment from the fleet, which equates to an immediate savings of \$611,500.00 for vehicles and pieces of equipment that did not need to be replaced,

and when projecting the costs over an average of a ten-year life span, \$285,000.00 in savings per year for ten years represents approximately a \$3 million savings in CMERP and an immediate savings of \$46,000.00 a year in the Fleet Management budget for repairs and maintenance of equipment. He stated that departmentally, performance measures were established to determine if Fleet Management was doing a good job for all City departments by analyzing availability, which is the percentage of time that a vehicle or piece of equipment is actually available when it is scheduled for use; industry standard is 95% of the time, and over the past six months, the City was above the 95% level during five of those six months. He called attention to a snow removal policy for City employees to better manage vehicles and to ensure the best possible job in these situations; vehicle turnaround time was reviewed with regard to the amount of time it takes to get a vehicle back in service, and turnaround time has been reduced by 50% in the last six months. He stated that staff reviewed the parts department, and the last three inventories showed a 1.2% average error rate, or less, while industry standard is 5%.

He reviewed cost saving measures, such as reducing the number of sports utility vehicles which are more expensive to maintain than a sedan or pick-up truck by 10%; utilizing salvaged vehicles for parts which led to a savings of over \$14,000.00 in the cost of new parts; the department has studied the potential of repairing parts versus replacement of parts as a cost saving measure; and CMERP replacement of equipment was reviewed so as to purchase the most efficient equipment for the tax dollar.

Looking to the future vision of the Fleet Management department, Mr. Frazier called attention to a goal to formalize a career development program which will guide employees upon entering the department on how to move up from a Mechanic's Helper to a Mechanic 1, to a Mechanic 2, to a Master Mechanic, to a Supervisor; how to attain ASE certification, which has been attained by 75% of the City mechanics; and the City of Roanoke can apply to be Blue Seal Certified which will make Roanoke the fourth municipality in the Commonwealth of Virginia to be ASE Blue Seal Certified in the shop. He explained that individual productivity is emphasized by tracking direct labor, indirect labor, and reviewing the amount of time that is devoted to a specific activity, while looking for methods to improve productivity through a team approach and buy in by staff. He stated that a goal is to fully implement the motor pool, to implement the department's mission policy to help guide City department managers in making the right decisions regarding replacement of vehicles, development of vehicle replacement guidelines containing mileage and/or hours criteria, age criteria, and life-to-date maintenance costs, and when a vehicle exceeds any two of those standards for the type of vehicle, it then qualifies for replacement; and to continue the tracking program by reviewing significant criteria to be able to move to the next level in order to provide better data leading to better decisions and better accountability.

Mr. Frazier reviewed other specific steps such as a new procedure for addressing oil changes for the City's vehicular fleet, installation of new shop doors on the back side of the facility, installation of an in-house radio system, re-engineering the night shift operation to be more productive during those hours when there are fewer City employees on the job, investment in software technology and hardware technology that will provide better tracking capability and direct interaction between technicians, and investing in the right diagnostic equipment, all of which will lead to a more efficient operation and better service for customers.

In summary, Mr. Frazier expressed appreciation for the opportunity to review the operation of the Fleet Management division. He stated that the department is taking an aggressive role in reduction of costs and in better management of the City's fleet assets in an effort to improve productivity; employees have been challenged to develop solutions, some of which have been implemented; and the goal for the future is to continue to listen and to challenge staff to come up with even better ideas.

Council Member Carder referred to the days of the \$400.00 oil changes, and asked to see additional numbers inasmuch as he advocated privatization of the service to increase cost effectiveness. He inquired if the department is bench marking versus the budget, and advised that he favors bench marking versus actual cost. He requested additional information on the amount of dollars per vehicle mile, the preventative maintenance program, and what are the numbers if the total number of dollars in fleet is divided by the number of vehicle miles, versus total cost if the operation is privatized. He requested additional information on standard business practices throughout the United States in terms of fleet management, what are other communities doing, what was the reason for the \$400.00 oil change which was revealed in a City audit that showed a tremendous amount of waste, as well as other issues in the parts department, what does an oil change cost today, and total dollars expended per vehicle mile today versus yesterday.

Mr. Frazier called attention to privatizing the City's towing needs, at a cost of less than \$40,000.00 per year, which will represent a tremendous cost savings for the City; and partnering with vendors on equipment/parts and one price oil changes.

There was discussion with regard to the rental of certain equipment that is not used on a regular basis versus the cost of replacement of the same equipment by the City; whereupon, Mr. Frazier advised that only a few pieces of equipment that were eliminated from the City's fleet would have to be rented, most of which is in the Streets Division, and amounts to no more than several thousand dollars per year; and the City Manager has requested that various pieces of equipment be monitored as to usage.

The City Manager advised that there are certain pieces of equipment that are proposed for elimination or transfer to the motor pool in the 2004 fiscal year budget, and in those departments where there is an occasional use of a piece of equipment, such specific budgets will include rental dollars because the equipment cannot be taken away without making provision for the cost of rental. She stated that the City's philosophy is that if the equipment is not needed at least 90% of the year, it should not be retained.

The City Manager called attention to two areas of privatization under consideration; i.e: continuation of the washhouse facility and whether or not it would be less expensive to contract for City vehicles to go through a type of automated wash, while retaining the washhouse for larger vehicles that need to be cleaned on a daily basis, such as those used for Solid Waste Collection; and the issue of gasoline dispensing because there is a lot of lost time in vehicles going to one or more locations for gas. She stated that much progress has been made in Fleet Management considering some of the challenges that the department faced, the department has benefitted significantly from input by City staff who are challenged to be the very best, and given more time, additional successes in Fleet Management will be identified and presented to the Council.

There was discussion in regard to environmental issues, whether Fleet Management has an emissions policy, and actions taken by the department to reduce air pollution from City vehicles; and to acquire higher mileage vehicles, or hybrid vehicles using biodiesel fuel; whereupon, Mr. Frazier advised that staff is investigating the use of biodiesel fuel to determine the long term maintenance effects, additional costs if any to vehicles, needed modifications to certain vehicles, additional expenses to be incurred, and local availability of biodiesel fuel. He stated that by using a fuel emissions tester, the fuel system and fuel emissions can be tested to determine whether a vehicle is in compliance with OSHA standards, and Roanoke is now 14,000 to 1 environmentally compliant, which means that the City of Roanoke meets the standards to be certified by the State of Virginia. He added that Fleet Management has become the lead department for environmental concerns, particularly hazardous wastes, and will serve as a model for all other City departments; and the department is also a member of the environmental management system team. He stated that when City vehicles are replaced, staff reviews such issues as gas mileage, annual maintenance costs, and annual down time for repairs.

A question was raised in regard to cooperative efforts with the School system; whereupon, Mr. Frazier advised that staff is working with school officials on an arrangement whereby students can work in the City Garage. He referred to a recent incident in which a City vehicle was painted and repaired by students at a cost of \$200.00 for materials, while the same improvements would have cost in the range of \$1,500.00 through a private vendor.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

SEWERS AND STORM DRAINS: The City Manager introduced a briefing on City of Roanoke storm drains and capital projects; whereupon, Philip C. Schirmer, City Engineer, advised that the presentation would cover three areas; i.e.: the big picture to demonstrate how the City of Roanoke is positioned within the watersheds that surround it, land use which is directly related to the amount of runoff from developed properties, and options for funding.

He advised that the contributing watershed that surrounds the Roanoke area is the Roanoke River watershed, which also goes across a number of jurisdictions such as Botetourt County, Roanoke County, Montgomery County, Floyd County, through the City of Salem and down through the City of Roanoke. He stated that the City of Roanoke contains 27,000 acres, or the equivalent of 43 square miles, approximately 33,000 - 35,000 detached residences are located within the City's boundaries, and about 500 square miles of surrounding watersheds are the real issue. He called attention to a number of watersheds within the City of Roanoke: the Roanoke River (about 10% of which is within the confines of the City of Roanoke), Tinker Creek, Peters Creek (about half is in the City) Garnand Branch which goes through Garden City is about 85% within the City, Trout Run is the only watershed that is 100% within the City's boundaries, and Lick Run and Murdock Creek are about 95% within the City's boundaries. He presented slides demonstrating land use, which is related to how much of the rainfall actually runs off in a single family residential development, multi-family dwellings, and institutional uses including City buildings, churches, hospitals, school land, parks, and commercial development.

He advised that there are approximately \$53 million in identified City storm drain capital project needs, ranging in value from small projects of about \$5,000.00 up to \$8,000,000.00, and the \$53 million does not include the Roanoke River Flood Reduction Project which is a much larger project. He further advised that storm drain projects are geographically diverse, located throughout the City, and not concentrated in any one specific area or any one watershed within the City. He stated that there are four funding mechanisms; i.e.: long-term borrowing through bonds which is historically how the City has paid for most of its storm drain improvements in the past, dedicated fees or taxes, developer-related charges, and a storm water utility. With regard to project funding, he advised that bond funding averages about \$700,000.00 a year, and a review of the past ten years of expenditures for storm drain-type projects reveals that the City has spent \$50,000.00 a year from CMERP funds, therefore, the total is approximately \$750,000.00 a year of funds expended by the City on storm drain capital projects. He explained that with current projects scheduled and based upon historical averages, it will take the City approximately 70 years to get through the \$53 million list of storm drain projects, which is a rolling list and as one project comes off, another project is

added to the list. He noted that Roanoke's storm drain infrastructure is aging and nearing the end of its useful life, and not only is the City dealing with new projects, but certain replacement projects as well; recently, the City submitted an application for a storm water quality permit, and water quality regulations will most likely increase the City's funding needs in the area of storm drains.

Mr. Schirmer reviewed enabling legislation in the Commonwealth of Virginia that provides a method for funding projects in a municipally-owned storm water system, which can be considered a utility because basically every property in the City of Roanoke generates water runoff, every developed property contributes to the problem, and a measurable service is being provided to citizens through capital projects, therefore, the locality is providing a direct service that can be charged for. He stated that the fees would reduce the reliance on General Funds, offer an opportunity to provide additional services, all persons would share in the cost since all properties generate water runoff, and there is a limitation that funds generated from a storm water utility can only be used for land acquisition for capital projects relating to storm drains, administration of storm water programs such as the NPDES program, engineering, construction, debt retirement costs, cost of administration, and facility operation and maintenance costs.

Question was raised as to whether the storm water utility would be a separate function from the regional water authority; whereupon, the City Manager advised that during discussions with Roanoke County, it was been stated that long term, it would be in the best interest of the region for storm water to be a part of the regional authority, but including storm water issues in water and sewer authority discussions at this time would cause a delay, therefore, it would be better for the water and sewer authority to be established, followed by consideration of inclusion of storm water at a later date.

The City Engineer advised that there are certain typical steps that must be followed to develop a storm water utility; i.e.: development of a strategy and a feasibility study as to how much of the City's capital debt storm drain projects should be retired and a proposed time frame, development of a rate structure that would support such expenditures, adoption of an ordinance implementing a billing procedure, and ultimately providing the services to Roanoke's citizens.

Mr. Schirmer reviewed examples of how various properties would be charged for the storm drain utility, using an average private residence, an average size condominium complex, and a shopping center in the City of Roanoke.

It was noted that all citizens will pay the storm water user fee, based on the amount of impervious surface; and under the category of institutional uses, all properties, regardless of their taxable status for real estate purposes, will be required to pay a storm water utility fee, if enacted by the locality. For example: tax exempt non-profits, churches and other types of institutions would be assessed based upon the amount of impervious surface.

The City Engineer reviewed storm water utility fees enacted by other localities in the Commonwealth of Virginia, the City of Norfolk being the highest at \$5.47 and Prince William County the lowest at \$1.73; and most localities have clustered around the middle at approximately \$3.00 for an equivalent residential unit, based upon about 2,000 square feet of impervious area. He advised that the City of Roanoke proposes to prepare a detailed study to determine the size of the average residential unit, however, if the City were to implement a \$3.00 per month equivalent residential rate, taking into consideration 33,000 units, residential property owners would pay about 31% of the total, approximately 1100 units in multi-family housing would pay about 40%, commercial properties would pay the bulk of the fee or about 50%, and approximately two-thirds of the fee would be paid by institutional users. He stated that based on a \$3.00 per month assessment, \$3.8 million a year in potential revenue could be applied to capital projects.

Mr. Schimer explained that the next steps will involve a feasibility study to review Roanoke's properties in detail, by literally reviewing every residence in the City of Roanoke to determine the average impervious area of the residential unit; a review in detail of each commercial property to determine a rate structure; a detailed forecast in terms of revenue; a review of commercial assessments, billing procedures, and implementation of the system, all of which will involve a considerable amount of time. He stated that another component is a detailed capital project implementation strategy by refining the current list of capital projects to develop a document much like a capital improvement program by listing specific projects, specific costs, costs of administering projects, and costs of engineering and land acquisition, etc.

Council Member Bestpitch suggested that priorities and time frames be added to the list, because it would appear that a 70 year time frame could be cut down to somewhere in the range of 15 years or less.

The City Manager advised that she would recommend that concentration of funds go into capital, given the current list of outstanding projects, although some localities use a portion of the funds for ongoing maintenance as well as capital expenses; and facilities must be maintained, therefore, it is necessary to ensure that citizens understand that the operating budget of the City of Roanoke will have to increase in terms of the maintenance function, which is a policy decision for the Council as to whether the utility fee itself will be responsible for ongoing maintenance of facilities, as well as capital construction of facilities.

Council Member Wyatt questioned the impact on economic development in the City of Roanoke if a storm water utility fee is enacted which could provide a disincentive for businesses to locate in the Roanoke area; whereupon, the City Manager advised that the question is, does the City of Roanoke want to address the problem in an aggressive way and, if so, what is the vehicle to be used. She stated that the real estate tax could be one means, or City staff could be directed to cut their operating budget by ten per cent, or a utility tax could be imposed. She added that it is important to think about the price in terms of economic development if storm drain projects are not completed, because if potential businesses visit the community and see standing water, or neighborhoods that are negatively impacted because of water issues, or there is standing water around businesses, that could also be a disincentive to locate in the area, therefore, it is a delicate balance that the City must strive for.

The City Manager advised that the question before Council is whether or not Council would like for City staff to spend the amount of time that will be necessary to provide the level of detail that would be needed for the Council to make an informed decision on enacting a storm water utility fee.

The Mayor requested additional information with regard to the list of storm drain projects, how long the projects have been pending, and areas of the City that will be affected.

Ms. Wyatt requested information on the cost of a study.

Without objection by Council, the Mayor advised that the briefing would be received and filed.

DEBT POLICY-DIRECTOR OF FINANCE-BONDS: The Director of Finance presented a briefing on debt policy for the City of Roanoke. He advised that one of the keys to sound financial management is the development of a debt policy, which is recognized by bond rating agencies and development of a debt policy is a recommended practice by the Government Finance Officers Association. He explained that a debt policy establishes the parameters for issuing debt and managing the debt portfolio; it provides guidance to the administration regarding purposes for which debt may be issued, types and amounts of permissible debt and method of sale that may be used; the debt policy is intended to demonstrate a commitment to long-term financial planning and will be used in conjunction with the Capital Improvements Programs for both the City and the School Board; and adherence to the debt policy will help assure protection of the City's double-A bond rating credit quality.

(For full text, see Guidelines for Debt Issuance on file in the City Clerk's Office.)

At 12:05 p.m., the Mayor declared the meeting in recess.

At 2:00 p.m., on Monday, April 7, 2003, the Council meeting reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Smith presiding.

PRESENT: Council Members William H. Carder, M. Rupert Cutler, Alfred T. Dowe Jr., C. Nelson Harris, Linda F. Wyatt, William D. Bestpitch and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Mayor Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGMENTS:

HOSPITALS-SISTER CITIES: The Mayor welcomed Hye-Ryeon Hong, Medical Records Specialist, and Hyun-Sook Jung, Registered Nurse, from Wonju, Korea, Roanoke’s Sister City, who were visiting the Roanoke Valley to observe operations at Lewis-Gale Medical Center and the Pediatric Department at Community Hospital.

The Mayor presented each guest with a crystal star.

PROCLAMATIONS: The Mayor presented a proclamation declaring the month of April, 2003, as Scottish American History and Heritage Month.

PROCLAMATIONS-HOUSING/AUTHORITY: The Mayor presented a proclamation declaring the month of April, 2003, as Fair Housing Month.

PROCLAMATIONS-BUILDINGS/BUILDING DEPARTMENT: The Mayor presented a proclamation declaring April 6 - 12, 2003, as Building Safety Week.

PROCLAMATIONS-YOUTH: The Mayor presented a proclamation declaring April 6 - 12, 2003, as Boys and Girls Club Week.

PROCLAMATIONS-COMMUNICATIONS DEPARTMENT: The Mayor presented a proclamation declaring April 13 - 19, 2003, as National Public Safety Telecommunicator’s Week.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meeting of Council held on Monday, February 3, 2003, and recessed until Tuesday, February 4, 2003; and Tuesday, February 18, 2003, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

Mr. Cutler moved that the reading of the minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

SEWERS AND STORM DRAINS-EASEMENTS: A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to vacation of a sanitary sewer easement across property located on Hidden Oak Road, S. W., identified as Official Tax Nos. 5050220 - 5050222, inclusive, was before the body.

Mr. Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

Y.M.C.A.-CITY PROPERTY: A communication from the City Manager requesting that Council schedule a public hearing for Monday, April 21, 2003, at 7:00 p.m., or as soon thereafter as the matter may be heard, with regard to conveyance of City-owned property located at 540 Church Avenue, S. W., identified as Official Tax No. 1113414, to the YMCA of Roanoke Valley, Inc., upon certain terms and conditions, was before the body.

The City Manager advised that the YMCA has expressed an interest in acquiring the property on which the Jefferson Gym is located; the YMCA is in need of a new facility to accommodate its expanding number of programs; according to a draft agreement, the City of Roanoke may transfer title to the YMCA with certain conditions; if the YMCA obtains the Jefferson Gym, the YMCA will make available some of its resources, including various fitness and safety programs to City youth; and the exchange will support the recently developed Roanoke Youth Initiative Program.

Mr. Cutler moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

COMMITTEES-ROANOKE ARTS COMMISSION: A communication from Robert L. Humphreys tendering his resignation as a member of the Roanoke Arts Commission, was before the body.

Mr. Cutler moved that the communication be received and filed and that the resignation be accepted. The motion was seconded Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

OATHS OF OFFICE-COMMITTEES-HOUSING/AUTHORITY-COMMUNITY PLANNING-HOTEL ROANOKE CONFERENCE CENTER: The following reports of qualification were before Council:

- Gilbert E. Butler, Jr., as a member of the City Planning Commission, for a term ending December 31, 2006;
- D. Kent Chrisman as a member of the City Planning Commission, for a term ending December 31, 2006;
- Henry Scholz as a member of the City Planning Commission, for a term ending December 31, 2006;

Sherman V. Burroughs as a member of the Fair Housing Board, for a term ending March 31, 2006; and

William White, Sr., as a member of the Hotel Roanoke Conference Center Commission, for a term ending April 8,2007.

Mr. Cutler moved that the reports of qualification be received and filed. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members: Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

REGULAR AGENDA

SCHOOLS: It was the consensus of Council that the following persons will be accorded the public interview for the position of Trustee, Roanoke City School Board, on Thursday, April 24, 2003, at 4:30 p.m.:

**Dennis M. Binns
F. B. Webster Day
Tiffany M. Johnson
Gloria P. Manns
Kathy G. Stockburger
David B. Trinkle**

PUBLIC HEARINGS: NONE.

PETITIONS AND COMMUNICATIONS:

TAXES-HOUSING/AUTHORITY-HABITAT FOR HUMANITY: David Camper, President of the Board, Habitat for Humanity, advised that Habitat has enjoyed its partnership with the City of Roanoke over many years; whereupon, he presented a ceremonial check demonstrating that Habitat for Humanity has paid \$66,000.00 in property taxes and \$27,000.00 in building permit fees to the City of Roanoke.

He introduced Tom Dalzell, Member of the Board, to present a briefing on house designs.

Mr. Dalzell advised that the City of Roanoke recently enacted housing designs for use in the neighborhood design districts, and Habitat for Humanity has worked with the City to establish design standards. He presented an illustration of a two bedroom house which has four different variances in that the eaves can go right to left, or front to back, floor plans can be flipped, the structure has approximately 928 square feet, a living room, two bedrooms with walk-in closets, kitchen and dining room with stove, refrigerator and double sink, one full bathroom, laundry room with a washer and dryer, a gas furnace with air conditioning or a heat pump, gas or electric water heater, a 14' wide x 6' deep front porch, and a rear stoop; and outside amenities will include a detached 8' x 8' storage building, concrete sidewalk, and a gravel driveway. He presented a drawing of a three bedroom house of about 1,148 square feet with living room, foyer, three bedrooms with walk-in closets, kitchen and dining room with stove, refrigerator and double sink, one and one-half bathrooms, laundry room with a washer and dryer, a utility storage room, a gas furnace with air conditioning or a heat pump, gas or electric water heater, the front porch on a three or four bedroom house is 22' wide x 6' deep, a rear stoop, and an 8' x 8' outside storage building, a concrete sidewalk, and a gravel driveway. He advised that although no two story houses have been constructed, two plans are available, and presented a drawing for a two-story, three bedroom house with approximately 1,142 square feet, living and dining room, kitchen with stove, refrigerator and double sink, a pantry, a half bathroom on the downstairs level, laundry room with washer and dryer, a gas furnace or heat pump, gas or electric water heater, a front porch of 20' wide x 8' deep, and a 10' wide x 8' deep rear porch; the second floor contains three bedrooms, a full bathroom, an extra sink off the master bathroom, and a loft area, an 8' x 8' outside covered storage building, concrete sidewalk and gravel driveway. He presented a drawing of a two story house with living space of about 1,190 square feet, with a living room and dining room, kitchen with appliances, pantry, a half bathroom downstairs, three bedrooms on the second floor with walk in closets, a full bathroom, a laundry room with washer and dryer, an outside 8' x 8' storage shed, concrete sidewalk and gravel driveway. He noted that the first house using the new design is being constructed on Aspen Street, N. W., which will be a four bedroom structure.

Ms. Beverly Shumar, a soon to be Habitat for Humanity homeowner, advised that Habitat has given her a chance to own something besides her vehicle. She stated that she has watched family after family and generation after generation move into Section 8 subsidized housing because that was all they could afford, and because of Habitat for Humanity they have learned how to work out finances and how to work together, leading to a life of self-sufficiency. She stated that she looks forward to moving into her new home, it gives her peace of mind to know that the house will belong to her, and Habitat for Humanity has made safe living affordable for her.

YOUTH: Ms. Denesha Johnson, Team Leader, advised that she is a resident of the City of Roanoke and a senior at William Fleming High School, and expressed appreciation for the opportunity to present information with regard to National Youth Services Day, which will be held on Saturday, April 12, 2003, at the Roanoke Higher Education Center, at 9:00 a.m. She invited Council Members to attend activities on April 12 and to join in volunteer projects between 10:00 a.m. and 2:00 p.m., to clean up Loudon Park, to paint a mural, to plant a garden at McCray Court, to organize thousands of donations through the "We Care Drive", to clean trains at the Virginia Museum of Transportation, clean up projects at Huff Lane Micro Village and Patrick Henry High School, and to work with children at the Literacy Festival. She stated that participation in National Youth Services Day will provide an opportunity to show Roanoke's youth how much Council believes in them.

Marion Vaughn-Howard, Youth Coordinator for the City of Roanoke, introduced members of the Boys and Girls Club who will participate in Youth Services Day by working at Huff Lane Micro Village.

SCHOOLS: Dr. E. Wayne Harris, Superintendent, Roanoke City Public Schools, presented a briefing on Career and Technical Education for the 21st Century in the City of Roanoke.

He advised that efforts are being made in Roanoke City Public Schools to educate students to thrive in a changing economy; the United States economy is changing rapidly in ways that will have disastrous consequences for workers who lack skills that are now necessary for many good jobs; and Roanoke City Schools is committed to making certain that Roanoke City students acquire those skills and graduate from Roanoke's high schools prepared for success.

Dr. Harris advised that when visiting Roanoke's schools, one will see a number of programs that resemble vocational programs; as the programs have changed and expanded to meet the workforce needs of the 21st century, the names have changed from vocational education to business and technical education and from business and technical education to career and technical education; in addition to teaching the skills required in each career program, focus is placed on mathematics, reading, writing and communication skills; students must also be able to solve problems, work effectively with diverse groups and use computers; and the school system works closely with employers and organizations such as the Virginia Employment Commission to help the school system set the right course for its students, now and in the future.

Superintendent Harris presented an overview of the scope of Career and Technical course offerings:

Business offerings grow more complex each year as Roanoke's schools respond to the work needs of the community; and students become highly skilled in the operation of computers and peripheral equipment as they work with information systems and accounting.

In the area of Family and Consumer Sciences, students learn the techniques of working with young children.

Since Roanoke is a major health care center, the Health Care Assistant Program is designed to prepare students for successful entry into this field.

Increasingly, Roanoke is becoming a global community with its economy closely intertwined with the rest of the world; and marketing programs are designed to provide students with training that will allow them to compete in the world marketplace.

Technology has forced rethinking of the curriculum to include a variety of courses that focus on engineering and innovative applications of technology.

Roanoke's trades and industrial courses, such as welding and automotive technician, allow students to work with industry standard equipment; and these courses sound like the old vocational courses but they, too, have been redesigned to reflect new technology.

Dr. Harris advised that the School system is excited about three new courses:

Sports, Entertainment and Recreation marketing which allows students to develop skills in marketing analysis, event marketing, communication and human relations; and the program began this year at Patrick Henry High School and will be offered next year at William Fleming.

Virtual Enterprise is designed to develop entrepreneurship; beginning next year, students will be involved in web-based business; the program enables students to experience all of the facets of being an employee of a firm ranging from human resources, accounting, product development, to production, distribution, marketing and sales.

A Criminal Justice course will be offered next year for students to have an opportunity to gain experience and knowledge in law enforcement, corrections and the court system.

It was noted that more students opt to participate in Career and Technical Education courses each year; there has been growth over the past three years and it is projected that student numbers will increase this year; Career and Technical Education courses available to students for college credit include ten courses that may be taken for college credit, which range from welding to international marketing; and benefits of earning college credit while in high school include a "jump start" in college, introduces students to college level work, and financial savings; many students are engaged in on-the-job training programs; in 2000-01 and 2001-02, students earned over half a million dollars, which amount will again increase this year.

Dr. Harris advised that Advanced Auto, First Union, Lewis-Gale Hospital and many other area employers train Roanoke students and pay them as they learn; certain fields offer industry certification which says to employers, nationwide, that the student possesses the specialized skills that meet industry specifications; many times, certification counts toward graduation and counts for the Standards of Learning tests; and certification spans the field, from FAA Pilot's licensure to Microsoft Office Specialist.

It was explained that an objective of the Career and Technical Program is to connect students with employers; one of the best ways to do so is at the annual Job Fair which will be held on Tuesday, April 8, 2003, at the Roanoke Civic Center, where 65 - 70 employers will participate, typically 100 students attend, and last year, 38 students were offered jobs.

In summary, Dr. Harris advised that enrollment has increased, college credit courses have been expanded, industry certification programs are added each year and students develop a relationship with employers. He stated that Career and Technical Education impacts the learning and earning potential of Roanoke City students; and goals of the program are to provide students with 21st century workplace skills, to enhance the career and earning potential of students, and to partner with businesses in the region to impact economic development.

Council Member Cutler advised that at its 9:00 a.m. work session, Council received a briefing by the City's Fleet Manager who stated that auto body shop students have repaired City vehicles, leading to considerable cost savings for the City of Roanoke, and benefits for both the City and the students. He inquired as to the future of the Blue Ridge Technical Academy; whereupon, Dr. Harris advised that the facility has a bright future, the facility has not attracted the number of students that were initially envisioned, it was intended to be a regional facility with an enrollment in excess of 200 students by the third year, however, 40 students are currently enrolled, the majority of which are Roanoke City students; and although some adjustments have been made, the program is still alive and well, and there is a commitment to continue the philosophy of the program and to expose young people to the five job force areas that the program was intended to address.

AIRPORT-BUDGET: A communication from Jacqueline L Shuck, Executive Director, Roanoke Regional Airport Commission, advising that in accordance with requirements of the Roanoke Regional Airport Commission Contract dated January 28, 1987, as amended, the Roanoke Regional Airport Commission is submitting its Fiscal Year 2003-04 Operating Budget for approval, which budget was adopted by the Airport Commission at its meeting on March 12, 2003; and the Commission is also submitting a separate list of Capital Expenditures which are expected to exceed \$100,000.00 in cost and are intended to benefit five or more future accounting periods, was before Council.

Mr. Carder offered the following resolution:

(#36270-040703) A RESOLUTION approving the Roanoke Regional Airport Commission's 2003-2004 proposed operating and capital budget, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 97, page 178.)

Mr. Carder moved the adoption of Resolution No. 36270-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-FDETC-ENTERPRISE ZONE-FIRST UNION NATIONAL BANK: The City Manager submitted a communication advising that the City of Roanoke, First Union and the Fifth District Employment and Training Consortium (FDETC) agreed that if First Union would maintain 420 jobs in Enterprise Zone One, training funds would be available; the agreement provides that First Union is responsible for repaying \$400.00 for each position below 420; a compliance review noted that only 342 First Union employees are now located in Enterprise Zone One, therefore, the City recently received a check from First Union in the amount of \$31,200.00 representing repayment for 78 positions.

The City Manager recommended that Council appropriate \$31,200.00 of First Union repayment funds to the Enterprise Zone Training Incentive Fund, Account No. 008-310-9630, to further the goals of the Enterprise Zone program; and establish a revenue estimate of \$31,200.00 in the “First Union Job Grant Repayment” revenue account.

Mr. Cutler offered the following ordinance:

(#36271-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Capital Projects Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 179.)

Mr. Cutler moved the adoption of Ordinance No. 36271-040703. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

The City Manager was requested to provide a brief description of how the funds will be used; whereupon, she advised that no specific use has been identified, however, funds could be used as an incentive to a subsequent business that might be interested in receiving training incentive funds.

BUDGET-FIRE DEPARTMENT-LANDMARKS/HISTORIC PRESERVATION: The City Manager submitted a communication in connection with restoration of the Fire Station No. 1 bell tower roof, cornice, entablature, and tower brackets, which is located at 13 East Church Avenue in downtown Roanoke; and the Consulting Team of Don Harwood, an architect with Hill Studio, and Mark Clark of Southwest Restoration, a restoration specialist of historic structures, provided the City with a report outlining deficiencies in the bell tower.

It was further advised that funding for the project is available in Fixed Asset Maintenance, Account No. 001-440-4330-3057, in the amount of \$25,000.00 and Maintenance CMERP, Account No. 001-440-4330-9132, in the amount of \$20,465.00; additional funding would be required to accomplish all of the recommended work in one phase and total funding in the amount of \$169,965.00 is needed; additional funding is available in the General Fund Reserve, Account No. 001-300-9410-2197, in the amount of \$124,500.00; and included in project costs are design services provided by an architectural/engineering consultant, renovation services provided by a contractor, and miscellaneous project expenses including advertising, printing, testing services, and unforeseen project conditions.

The City Manager recommended authorization to transfer \$124,500.00 from the General Fund Reserve Account to Maintenance CMERP, Account No. 001-440-4330-9132.

Mr. Carder offered the following ordinance:

(#36272-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 180.)

Mr. Carder moved the adoption of Ordinance No. 36272-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-BRIDGES: The City Manager submitted a communication advising that Council recently approved one-way vehicular and pedestrian concept design for renovation of the First Street Bridge, at an estimated cost of \$2,390,100.00, and partial funding in the amount of \$750,000.00 has been appropriated; the City is negotiating with Norfolk Southern Railway to pay \$275,000.00 as the cost for removal of its signals from the bridge; and additional funding in the amount of \$1,365,100.00 needed for bridge renovation is available in the General Fund Reserve Account.

The City Manager recommended that Council transfer \$1,365,100.00 from General Fund Reserve, Account No. 001-300-9410-2197, to First Street Bridge, Account No. 008-052-9574.

Mr. Dowe offered the following ordinance:

(#36273-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Capital Projects Funds Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 181.)

Mr. Dowe moved the adoption of Ordinance No. 36273-040703. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, and Bestpitch-----5.

NAYS: Council Member Wyatt and Mayor Smith -----2.

PURCHASE/SALE OF PROPERTY-FIRE DEPARTMENT: The City Manager submitted a communication advising that funding has been approved by Council for development of a new fire station/fire administration headquarters building which will also combine current Fire Stations Nos. 1 and 3; several sites with proximity to the downtown area were considered as possible locations, with one site being selected that best meets the needs for the new facility; and one parcel, identified as Official Tax No. 1020310, at the corner of Elm Avenue and Franklin Road, S. W., needs to be acquired for the project.

It was further advised that authorization by Council is necessary in order to move forward with procurement of title work and document preparation related to acquisition of the necessary property rights; and funding of \$145,000.00 for the purchase price, plus approximately \$5,000.00 for related expenses, is available in Capital Project Account No. 008-530-9678-9050, Fire/EMS Facility Improvement Program.

The City Manager recommended that she be authorized to acquire all property rights as stated above, subject to an acceptable title report; and said property rights may be acquired by negotiation and may include fee simple, permanent easements, temporary construction easements, rights-of-way, licenses or permits, etc.

Mr. Carder offered the following ordinance:

(#36274-040703) AN ORDINANCE providing for the acquisition of certain property needed by the City for the development of a new fire station and fire administration headquarters building; setting a limit on the consideration to be offered by the City; and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 97, page 182.)

Mr. Carder moved the adoption of Ordinance No. 36274-040703. The motion was seconded by Mr. Dowe.

Council Member Bestpitch advised that he intended to support the ordinance; however, he previously questioned whether the plans include construction of over night sleeping quarters for firefighters on the same floor level that equipment will be stored. The City Manager responded that housing will be located on the second floor and administrative activities will be housed on an upper floor.

Mr. Bestpitch stated that he was of the impression that the City decided some time ago that new fire stations would be constructed with sleeping quarters and equipment on the same level to prevent accidents in the middle of the night when calls come in, and requested that the City Manager review the matter. He referred to a previous suggestion to eliminate the eastern most lane on Franklin Road, thereby enabling lanes to be shifted over, and extra land along the edge of the property would be available to accommodate design of a building that would allow sleeping quarters for staff to be located on the same level as equipment.

The City Manager advised that she was unfamiliar with a plan to locate sleeping quarters and equipment on the same level; fire stations constructed throughout the State of Virginia in the last several years continue to use the second floor for living quarters in order to keep activities separate, because there are times when certain pieces of equipment and staff are sent out, while others are given the opportunity to remain at rest, however, she would discuss the matter with the Fire Chief. With regard to the Franklin Road issue, she stated that the City is discussing the matter with the Virginia Department of Transportation, there will be a need to shorten a median in order to create an appropriate turning radius for fire apparatus entering Franklin Road, and the first step is to acquire the necessary land which could modify the way that the City is looking at the entire project.

Ordinance No. 36274-040703 was adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Bestpitch, and Mayor Smith-----6.

NAYS: Council Member Wyatt-----1.

INSURANCE-CITY EMPLOYEES: The City Manager submitted a communication advising that the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), as amended, requires the City, as a sponsor of its health care plan, dental plan, and flexible spending account plan, to enter into Business Associate Agreements with companies that receive health information; HIPAA also requires the City to amend its plans with regard to HIPAA privacy requirements; compliance with HIPAA is required by April 15, 2003; and no additional costs will be incurred as a result of the Business Associate Agreements, or amendments to the plans; however, contracts to administer the plans and the Business Associate Agreements contain standard mutual indemnity provisions.

The City Manager recommended that she be authorized to execute Business Associate Agreements with Anthem Health Plans of Virginia, Palmer & Cay Consulting Group, Ceridian Corporation, Delta Dental and Ceridian Corporation, and to amend the health care plan, dental plan and flexible spending account plans to include the HIPAA privacy requirements, such agreements and amendments to be approved as to form by the City Attorney.

Mr. Dowe offered the following resolution:

(#36275-040703) A RESOLUTION authorizing the City Manager to enter into a Business Associate Agreement with Anthem Health Plans of Virginia, Palmer & Cay Consulting Group, Ceridian Corporation, Delta Dental and to amend the health care plan, dental plan and flexible spending account plans to include the HIPAA privacy requirements.

(For full text of Resolution, see Resolution Book No. 97, page 183.)

Mr. Dowe moved the adoption of Resolution No. 36275-040703. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

PURCHASE/SALE OF PROPERTY-BUDGET-WATER RESOURCES: The City Manager submitted a communication advising that as part of the City's drought response from last summer, various locations were identified as possible drinking water well sites to increase the City's water supply; the Utility Department has sought the development and implementation of seven high-yielding wells that exist primarily on City property; and although the water emergency is currently over, these water supply projects are at various stages of completion.

It was further advised that to date, the Utility Department has expended, or committed capital costs and services, in the amount of \$427,302.00 in connection with a contract with Golder Associates Inc., for well site exploration, testing, drilling and development; and a contract change order in the amount of \$369,835.00 is required to complete the work which, in addition to the well construction, includes a preliminary design report for a well water softening system.

It was explained that an option agreement to purchase a portion of the property located at 1905 Riverdale Road, S. E., from a private individual to be used as a well site has been agreed to by the landowner, at an option cost of \$2,000.00, which will be applied to the purchase price of \$20,000.00 if the City elects to purchase the property; purchase of the site will occur only if a well can be successfully completed at the site; and the City is responsible for closing the test well and restoring the site if the option agreement is not exercised.

It was noted that funding has previously been approved and is available in Capital Account No. 002-530-8408-9003; with the recent water rate increase, additional revenue in the amount of \$300,000.00 may be estimated for fiscal year 2003; certain professional consulting services, such as rate studies and appraisals, will be needed to assist in creation of the regional water and wastewater authority; and the additional revenue is recommended for appropriation for such purposes.

The City Manager recommended that she be authorized to execute a change order, in the amount of \$369,835.00, to the existing contract with Golder Associates, Inc., to provide consulting and well drilling services, and to provide consulting services for a preliminary engineering report for a well water softening system; to execute an option agreement to purchase the above described well site property, and subsequent documents to purchase such property, if such option is exercised; and to take such further action and to execute such further documents as may be necessary to implement and administer the above described work and, if appropriate, any other necessary documents to acquire the above described well site property; that Council increase revenue estimates for fiscal year 2003 by \$300,000.00, as follows: (1) Commercial \$113,743.00, (2) Industrial \$14,645.00, (3) Domestic \$171,612.00; and that Council appropriate \$100,000.00 to Capital Account No. 002-530-8408-9003, Well Construction and \$200,000.00 for consulting services, to assist with creation of the regional water and sewer authority, to an account to be established by the Director of Finance in the Water Fund.

Mr. Cutler offered the following ordinance:

(#36276-040703) AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Water Fund Appropriations, and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 184.)

Mr. Cutler moved the adoption of Ordinance No. 36276-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Carder offered the following ordinance:

(#36277-040703) AN ORDINANCE authorizing the City Manager’s issuance of Change Order No. 2 to the City’s contract with Golder Associates, Inc., for ground water exploration investigation and work in connection with developing more additional sources of water to increase the City’s water supply; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 97, page 185.)

Mr. Carder moved the adoption of Ordinance No. 36277-040703. The motion was seconded by Mr. Cutler and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Bestpitch offered the following ordinance:

(#36278-040703) AN ORDINANCE authorizing the execution of an option agreement for the acquisition of certain property located at 1905 Riverdale Road, S. E., and subsequent legal documents to purchase the property upon the exercise of such option, upon certain terms and conditions, and dispensing with the second reading of this ordinance by title.

(For full text of Ordinance, see Ordinance Book No. 97, page 186.)

Mr. Bestpitch moved the adoption of Ordinance No. 36278-040703. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

CITY ATTORNEY:

DIRECTOR OF FINANCE-CITY CODE-REAL ESTATE VALUATION-CITY EMPLOYEES: The City Attorney submitted a written report advising that during Council’s meeting on March 3, 2003, he was requested to prepare the necessary ordinance to amend the City Code to provide that the Director of Real Estate Valuation be appointed by and report to the Director of Finance, rather than being appointed by and reporting directly to City Council, effective August 1, 2003; whereupon, he transmitted the measure for Council’s consideration.

Mr. Cutler offered the following ordinance:

(#36279-040703) AN ORDINANCE amending and reordaining §32-37, Appointment and term, and §32-37.1 General powers and assistants, of Chapter 32, Taxation, Code of the City of Roanoke (1979), as amended, in order to change the method of appointment of the Director of Real Estate Valuation, placing the Office of Real Estate Valuation under the control of the Director of Finance; providing for an effective date; and dispensing with the second reading of this ordinance. (For full text of Ordinance, see Ordinance Book No. 97, page 187.)

Mr. Cutler moved the adoption of Ordinance No. 36279-040703. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of February 2003.

There being no questions, and without objection by Council, the Mayor advised that the Financial Report for February 2003 would be received and filed.

DEBT POLICY: The Director of Finance submitted a written report advising that a debt policy is one component of sound financial management of a local government; the importance of a debt policy is recognized by bond rating agencies, and development of a debt policy is a recommended practice by the Government Finance Officers Association; a debt policy establishes the parameters for issuing debt and managing debt portfolio, it provides guidance regarding purposes for which debt may be issued, types and amounts of permissible debt and method of sale that may be used; and City Council originally adopted the City's debt policy in September 1999.

It was further advised that at the annual Financial Planning Session, a commitment was made to review the City's Debt Policy and to bring forth any recommended changes to the policy; after coordination with the City's financial advisor and analysts at the municipal bond rating agencies, several enhancements and revisions have been made to the City's debt policy, as follows:

Added guidance concerning investment policy for proceeds from bond issuance, such guidance is similar to that typically recommended for municipal investment.

Removed the self-imposed target of net debt per capita of \$2,000.00; few comparative cities within the First Cities Coalition utilized this target; and addition of the self-imposed target of principal redemption within a ten year period equal to 50 per cent, or more, of aggregate outstanding principal.

Added language to clarify occasions when the City may issue debt through a method other than competitive sale; added guidance concerning the savings which should be targeted in order to justify an advance refunding of debt.

The Director of Finance explained that changes and enhancements are important in allowing the City to continue to demonstrate a commitment to long-term financial planning; and the debt policy will continue to be used in conjunction with the Capital Improvement Programs for both the City and the School Board; and adherence to the policy will help to assure protection of the City's double-A bond rating credit quality into the future.

The Director of Finance recommended that Council adopt a measure amending the City's Debt Policy as above described.

Mr. Bestpitch offered the following resolution:

(#36280-040703) A RESOLUTION approving and adopting a Debt Policy for the City of Roanoke.

(For full text of Resolution, see Resolution Book No. 97, page 188.)

Mr. Bestpitch moved the adoption of Resolution No. 36280-040703. The motion was seconded by Mr. Dowe and adopted by the following vote:

AYES: Council Members Carder, Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----7.

NAYS: None-----0.

REPORTS OF COMMITTEES: None.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: None.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

STATE HIGHWAYS-SIGNS/BILLBOARDS/AWNINGS: Council Member Dowe referred to increased traffic, supposedly due to increased residential and business activity in the Colonial Avenue area, and advised that during peak times of traffic, many drivers who are familiar with the Colonial Avenue Exit on I-581 begin to exit on the shoulder of the road. However, he expressed concern for those drivers who are not familiar with the road and may by-pass the exit; whereupon, he requested that the City Manager investigate the matter to determine if appropriate signage could be installed to alert motorists to begin to exit at a certain point prior to the actual off ramp at the I-581 Colonial Avenue Exit.

ACTS OF ACKNOWLEDGMENT-UTILITIES-WATER RESOURCES: Council Member Cutler commended the City's Director of Utilities, Mike McEvoy, upon receipt of the 2002 Construction Management Achievement Award from the National Capital Chapter of the Construction Management Association of America for management of the City's new Crystal Spring Filter Plant.

CITY COUNCIL-TREES: Council Member Cutler advised that the City's new Urban Forestry Plan will be included on the April 21, 2003 City Council agenda for consideration, which calls for aggressive reforestation in the City of Roanoke.

HOCKEY-SPORTS ACTIVITIES: Council Member Wyatt commended the Roanoke Express hockey team which is now in the playoffs. She advised that the next game will be held on April 8, and if the Roanoke Express is successful, the team will proceed to the second round of playoffs.

COUNCIL: Mayor Smith advised that those persons who regularly attend City Council meetings are familiar with the process enacted by Council to address certain issues; the time allotted for persons to speak, depending on the number of persons who have signed up to speak on any one issue; and efforts are made to treat all persons equally. He called attention to a recent incident when a speaker targeted a certain Member of Council; whereupon, he noted that Council should be addressed as a whole and in a constructive manner. He encouraged all persons to think about what is being said and presented to the citizens of Roanoke, because their statements are a reflection of what Roanoke is as a City. He advised that he introduces speakers in the order in which they register to speak; however, there was an occasion at the last Council meeting when a speaker deferred to speak when called upon; by deferring, the individual was allowed to speak later in the meeting; and in the future, with the concurrence of Council, all speakers will be recognized in the order that they registered, and if an individual defers to speak at the appropriate time, or if a speaker is out of the Council Chamber when his or her name is called, the individual will forgo the opportunity to speak.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard, and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

COMPLAINTS-STATE HIGHWAYS-ROANOKE CIVIC CENTER-SNOW REMOVAL-SCHOOLS: Mr. Chris Craft, 1501 East Gate Avenue, N. E. , requested that businesses along Route 460 be advised of upcoming events at the Roanoke Civic Center, in order that they may be properly staffed to accommodate additional customers. He commended City staffed on their hard work to clean up the City following the snow/rain event on Sunday, March 30. He expressed disappointment that he was not selected to be interviewed for a position on the Roanoke City School Board.

COMPLAINTS: Mr. Robert Gravely, 3360 Hershberger Road, N. W., quoted Bible scripture, and referred to his Constitutional rights with regard to freedom of speech.

POLICE DEPARTMENT-ANIMALS/INSECTS: Ms. Tracey Hamblin, 628 Day Avenue, S. W., advised that on March 11, 2003, a neighbor's dog was shot by a City Animal Control Officer. She noted that the Animal Control Officer stated that the dog charged him, however, that is not an accurate assessment of the situation. She stated this was an unfortunate situation, there has been no contact by the City with the owner of the dog, and the family lost a cherished member of their family. She expressed concern for the safety of her family, had one of her children decided to

run out of the house at the same time that the animal was shot. She stated that the entire neighborhood is upset about the incident, and advised that a petition will be submitted at the next meeting of Council signed by persons residing in the neighborhood who are concerned about the incident and the City's lack of response.

Ms. Doretha Lipford, 629 Day Avenue, S. W., owner of the dog, expressed concern that she has not received an explanation as to why the Animal Control Officer shot her pet, nor has she received an apology. She stated that her dog was loved by her neighbors, he was gentle and he played with neighborhood children. She advised that she would bear part of the blame because her dog was unleashed at the time of the incident.

Ms. Stephanie Lipford, 629 Day Avenue, S. W., also expressed concern that her dog was shot without reason and no apology has been received from the Animal Control Officer who was responsible.

CITY MANAGER COMMENTS:

CITY MARKET-ACTS OF ACKNOWLEDGMENT: The City Manager called attention to three occasions over the past weekend when she was reminded of the greatness of the City of Roanoke and its citizens; i.e: Clean Valley Day on Saturday, April 5, which demonstrated the level of volunteerism by persons committed to cleaning up the City of Roanoke; remarks by Alex Garvin, Adjunct Professor, Urban Planning and Management, Yale University, and a member of the team that will be responsible for the rebuilding of New York City, who was favorably impressed with the City of Roanoke and specifically the City Market area; and the remarks of Danielle Yu, a professional harpist, who previously lived in the Roanoke area and considers Roanoke to be her second home.

The City Manager advised that often times when dealing with problems or tragedy, we fail to see the assets of our community, and Roanoke's greatest asset is its citizens.

At 3:45 p.m., the Mayor declared the meeting in recess for four Closed Sessions.

At 5:00 p.m., the meeting reconvened in the Council Chamber, Mayor Smith presiding, and all Members of the Council in attendance, with the exception of Council Member Carder, who left the meeting during the Closed Session.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Cutler moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

OATHS OF OFFICE-COMMITTEES-ROANOKE ARTS COMMISSION: The Mayor advised that there is a vacancy on the Roanoke Arts Commission, created by the resignation of Will Trinkle, and called for nominations to fill the vacancy.

Mr. Harris placed in nomination the name of Kristi Pendelty.

There being no further nominations, Ms. Pendelty was appointed as a member of the Roanoke Arts Commission, for a term ending June 30, 2004, by the following vote:

FOR MS. PEDELTY: Council Members Cutler, Dowe, Harris, Wyatt, Bestpitch, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Carder was absent.)

There being no further business, at 5:10 p.m., the Mayor declared the meeting in recess until Friday, April 11, 2003, at 12:00 noon, for the Regional Leadership Summit Luncheon, to be hosted by Virginia Tech at Virginia Tech’s Donaldson Brown Hotel & Conference Center and Alumni Hall (Old Guard Room), Blacksburg, Virginia.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591

Telephone: (540) 853-2333

Fax: (540) 853-1138

CityWeb: www.roanokegov.com

May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice-Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Sale of City Owned Property

The City of Roanoke Department of Economic Development staff has been negotiating with a potential buyer of Tract F at the Roanoke Centre for Industry and Technology (RCIT.) In order to option or sell property a public hearing is required under the Virginia Code.

Recommended Action:

Authorize the scheduling and advertising of this matter for a public hearing on your May 19, 2003 agenda to provide for an option or sales agreement for Tract F at RCIT.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB:ean

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Elizabeth Neu, Director of Economic Development

CM003-00075



RALPH K. SMITH
Mayor

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W.
Noel C. Taylor Municipal Building, Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

Council Members:
William D. Bestpitch
William H. Carder
M. Rupert Cutler
Alfred T. Dowe, Jr.
C. Nelson Harris
Linda F. Wyatt

May 1, 2003

The Honorable Mayor and Members
of the Roanoke City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

It is with deepest regrets that I submit my resignation as a Member of the Roanoke City Council, effective May 16, 2003.

One of the highlights of my life has been to serve the great citizens of the City of Roanoke as Vice-Mayor and as a Member of City Council for the past several years. I have had the pleasure of working with one of the finest Councils in the history of our City and a City management team and City employees who strive every day to make our City a better place to live and work.

My wife Chris and I may be leaving the City of Roanoke to pursue other ventures, but our hearts will remain in the Star City. We wish only the best for the great citizens of Roanoke, the Mayor and Members of City Council, and the City staff.

With kindest regards, I am

Sincerely,

A handwritten signature in black ink that reads "Ben Carder".

William H. Carder
Council Member

WHC:mh



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

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CityWeb: www.roanokegov.com

May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Donate Apple 'iMac' Computers
 to Westside Elementary School.

Background:

There are twenty-one (21) Apple iMac computers in the library branches that no longer meet the minimum specifications for personal computers (PCs) in the library system and need replacement. Both Department of Technology and City of Roanoke Library staff recommend the replacement of these Apple computers with Windows-based PCs based on the following criteria:

- Apple computers are not supported by the Department of Technology and can be replaced with Windows-based PCs as part of the city's PC Replacement Program;
- Apple iMac computers do not support as wide a range of software applications as Windows-based computers;
- Observations from library staff that patrons will wait for a Windows-based PC to become available even when there are iMacs ready to be used and that patrons will often request to change from an iMac to a Windows-based PC when one becomes available;
- Patrons tend to avoid iMacs due to the fact they are not as widely used in businesses or other institutions;

- The price of most software applications is less expensive for Windows-based PCs than iMacs;
- The Internet filtering software the library uses is only supported on Windows-based computers.

The City is able to provide Apple computer capability at library branches through the installation of 'Appleworks' software installed on standard PCs. 'Appleworks' can be purchased for under \$40 per copy and will initially be installed on one PC in each library branch. If need dictates, we will add additional 'Appleworks' licensed PCs.

In evaluating the best possible usage of the Apple computers, it is recommended that these PCs be donated to the City school system for use at Westside Elementary School. At Westside Elementary they could be put to good use by introducing students in grades 2-5 to computer basics. The approximate value of these 21 Apple computers is \$5,250.

Recommended Action(s):

Authorize the donation of the 21 Apple computers to the City of Roanoke Schools for use at Westside Elementary School to expand, enhance and expose technology to the City's elementary school students.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:kc

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Roy Mentkow, Acting Director of Technology
Barry L. Key, Director of Management and Budget
Robert Bird, Acting Manager, Purchasing

CM03-00068

EKN

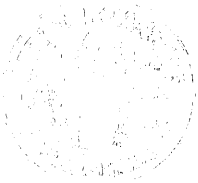
IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the donation of 21 Apple iMac computers that no longer meet the minimum specifications for personal computer in the library system to West Side Elementary School.

BE IT RESOLVED by the Council of the City of Roanoke that Council hereby authorizes the donation of 21 Apple iMac Computers to West Side Elementary School in accordance with the recommendation contained in the City Manager's letter to Council dated May 5, 2003.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591

Telephone: (540) 853-2333

Fax: (540) 853-1138

CityWeb: www.roanokegov.com

May 5, 2003



Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William E. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Wireless E911 Funding

Background:

The State of Virginia mandated that localities take responsibility for answering wireless E911 calls instead of them being routed and answered by the State Police. The Virginia State Wireless E911 Services Board provides funding to the localities for equipment and limited salaries to provide this service by collecting seventy five (75) cents per month from each wireless telephone user.

On February 26, 2003, the Virginia State Wireless E911 Services Board awarded the City of Roanoke an additional \$65,526 for fiscal year 2002-2003 to complete Wireless Phase II. Wireless Phase II, which provides the location of the caller is scheduled for implementation by December, 2003. There is no requirement for matching funds.

Recommended Action:

Accept the funding of \$65,526 from the Virginia State Wireless E911 Services Board. Increase the E911 Wireless revenue estimate in account 001-110-1234-0654 by \$13,679 and in account 013-110-1234-1355 by \$51,847. Appropriate \$13,679 to the E911 Center for telephone charges (001-430-4131-2020), and

Mayor Smith and Members of City Council
May 5, 2003
Page 2

appropriate \$51,847 to the E-911 Upgrades for Hardware/Software capital account to fund hardware and software upgrades (013-430-9870-9007).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Darlene L. Burcham".

Darlene L. Burcham
City Manager

DLB:kc

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
George C. Snead, Jr., Assistant City Manager for Operations
Barry L. Key, Director of Management and Budget
Roy Mentkow, Acting Director of Technology
Ron Wade, E911 Center Superintendent

CM03-00073

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 General and Department of Technology Funds Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 General and Department of Technology Funds Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

General Fund

Appropriations

Public Safety	\$ 46,452,177
E-911 Wireless (1)	201,360

Revenues

Other Categorical Aid	\$ 16,408,309
E-911 Wireless (2)	200,846

Department of Technology Fund

Appropriations

Capital Outlay	\$ 13,426,341
E-911 Upgrades to Software and Hardware (3)	357,637

Revenues

Nonoperating	\$ 1,061,979
Virginia State E-911 Services Board (4).....	51,847

1) Telephone	(001-430-4131-2020)	\$ 13,679
2) E-911 Wireless	(001-110-1234-0654)	13,679
3) Appropriation From State Grant Funds	(013-430-9870-9007)	51,847
4) Virginia State E-911 Services Board	(013-110-1234-1355)	51,847

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE
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May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Application for Industrial
Access Program Funds – Blue
Hills Drive Extension

Blue Hills Drive serves the Roanoke Centre for Industry and Technology (RCIT) providing access for the industries located in RCIT. It has been extended as needed to serve the various parcels as they have been developed. A contract is expected to be executed very soon for the sale of Tract "F". The final section of Blue Hills Drive needs to be extended in order to facilitate the development of the remaining parcels. See Attachment #1 for map showing proposed extension.

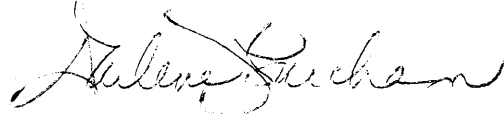
In order to make application for VDOT Industrial Access Program Funds, Council needs to adopt a resolution requesting funding. Such funding request can be for an amount up to \$450,000, with a required local match of up to \$150,000. Also, VDOT regulations require that the City of Roanoke provide a bond or other acceptable security to guarantee the VDOT required investment in the project and that any awarded access funds or a portion of them be paid back to VDOT if such investment does not occur within five years.

Recommended Action(s):

Council adopt a resolution, requesting that the Commonwealth Transportation Board provide financing up to \$450,000 from the Industrial, Airport and Rail Access Fund for the extension of Blue Hills Drive, authorize the City Manager to make application for such

funds and execute and provide necessary documents for such application, provide for a bond or other security to VDOT, and provide that any required local matching funds will be provided by a subsequent appropriation of Council.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Darlene L. Burcham".

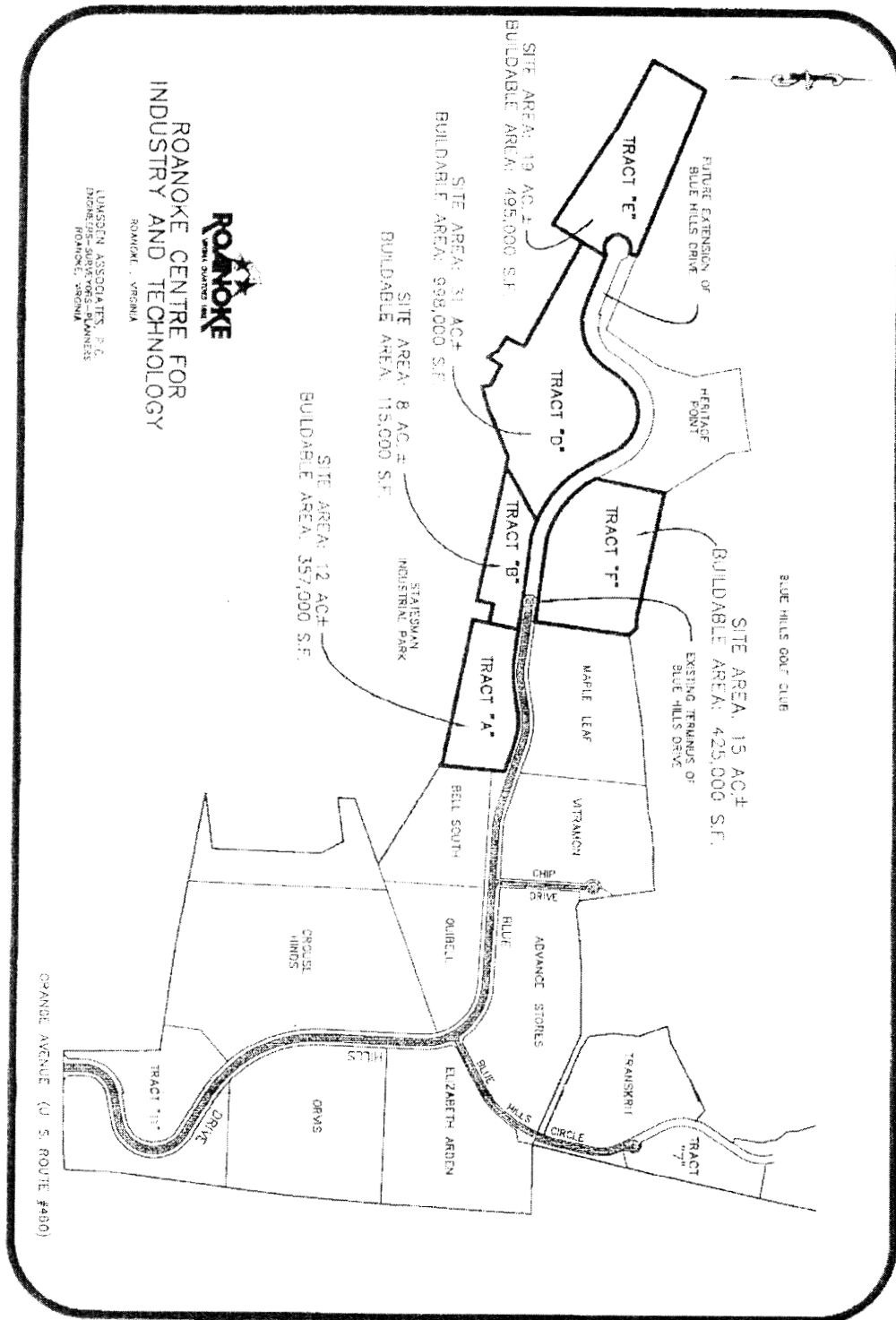
Darlene L. Burcham
City Manager

DLB/sef

Attachment

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
Beth Neu, Director, Economic Development
Sarah E. Fitton, Engineering Coordinator

CM03-00076



ROANOKE
CENTRE FOR
INDUSTRY AND TECHNOLOGY

ALUMINUM ASSOCIATES, P.C.
BUSINESS DEVELOPMENT
ROANOKE, VIRGINIA

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to make application to the Commonwealth of Virginia Department of Transportation for Industrial Access Road Funds in an amount up to \$450,000.00 for roadway construction and improvements to part of Blue Hills Drive in the Roanoke Centre for Industry and Technology to provide adequate industrial access to part of that property in order to provide for new capital investment and development of such property; acknowledging certain requirements for obtaining such funds, including the provision of a bond or other security; and authorizing the execution of any required documentation on behalf of the City of Roanoke for acceptance of any such funds which may be awarded.

WHEREAS, the City of Roanoke desires to facilitate the industrial development of a portion of property located in the Roanoke Centre for Industry and Technology (RCIT) located in the City of Roanoke; and

WHEREAS, such property is expected to be the site of new private capital investment in land, building, and manufacturing equipment which will provide substantial employment; and

WHEREAS, the existing public road network does not provide for adequate access to this property and it is deemed necessary that improvements be made to a portion of Blue Hills Drive in RCIT; and

WHEREAS, the City of Roanoke is requesting that the Commonwealth Transportation Board provide financing from the Industrial, Airport and Rail Access Fund for this project; and

WHEREAS, the Council of the City of Roanoke hereby acknowledges that the necessary environmental analysis, mitigation, and fee simple right-of-way for this improvement and utility

relocations or adjustments, if necessary, must be provided at no cost to the Industrial, Airport and Rail Access Fund in order to be eligible for such funds; and

WHEREAS, the Council of the City of Roanoke acknowledges that the State Environmental Review Process (SERP) must be completed prior to any construction activity on this project as a condition to the use of the Industrial, Airport and Rail Access Fund; and

WHEREAS, the Council of the City of Roanoke hereby acknowledges that all ineligible project costs and any other costs not justified by eligible capital outlay will have to be provided from sources other than those administered by the Department of Transportation.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City of Roanoke hereby requests that the Commonwealth Transportation Board provide financing from the Industrial, Airport and Rail Access Fund to provide an adequate road along a portion of Blue Hills Drive to certain property located in RCIT, including Tract F and the remaining property in that area, in order to facilitate industrial development and investment in such property, as set forth in the City Manager's letter to Council dated May 5, 2003.

2. The City Manager is hereby authorized to execute and file on behalf of the City of Roanoke any and all appropriate documents required in connection with the application to the Commonwealth of Virginia Department of Transportation for Industrial Access Road Funds in an amount up to \$450,000.00, and to execute any documentation necessary for the acceptance of such Industrial Access Road Funds, and to furnish such additional information as may be required by the Commonwealth, all as more particularly set forth in the City Manager's letter to Council dated May 5, 2003.

3. The Council of the City of Roanoke hereby agrees to provide, if necessary, a bond or other form of security acceptable to the Virginia Department of Transportation in the full amount of the funds approved by Commonwealth Transportation Board and acknowledges that such security may be exercised by the Department of Transportation in the event that sufficient qualifying capital investment does not occur on the portion of Blue Hills Drive for which funds have been provided within five years of the Commonwealth Transportation Board's allocation of funds for such project pursuant to the above request.

4. The form of any agreements for the acceptance of such Industrial Access Road Funds, including the security mentioned above, shall be approved by the City Attorney.

5. Any local matching funds up to \$150,000.00 that may be necessary or required by the acceptance of such Industrial Access Road Funds will be made available by subsequent appropriation of Council.

ATTEST:

City Clerk.



CITY OF ROANOKE OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
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May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Downtown Residential Parking

In spring of 2002 City staff presented City Council with information about Downtown Residential Parking. Through a series of meetings with downtown residents and potential downtown residential developers five (5) primary issues were identified as important to residents and developers to support their decision to move into and remain in Downtown:

1. Increase the availability of parking or loading zones, especially between the hours of 6:00 a.m. and 6:00 p.m. This is viewed as particularly desirable for unloading items such as groceries in close proximity to their residences.
2. Allow unrestricted parking in timed parking spaces for nights and weekends.
3. Provide for an enhanced feeling of security along the walking paths between residences and parking areas, as well as in the parking garages themselves.
4. Continue to allow free parking in City-owned parking garages for Downtown residences.
5. Expand the residential permit parking program to include the Downtown Service District (DSD).

In response to these five (5) primary issues, the City has reviewed and adjusted loading zones to meet the needs of downtown businesses and residents and have continued to allow unrestricted parking in timed parking spaces for nights and weekends. Downtown residents have continued to park free of charge in City-owned parking garages and these parking areas and walking paths have been monitored by our Police Department and parking facility management company to enhance the security and feeling of security provided to the users of these facilities.

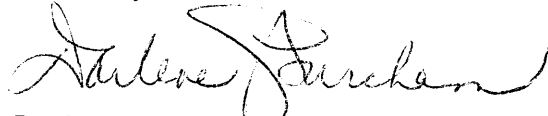
City staff recommended that the Residential Permit Parking Program be expanded to include the Downtown Service District (DSD), which City Council approved at their April 1, 2002 meeting. The program expansion within the DSD will establish residential permit parking zones at strategically placed locations for the use of residents that purchase a permit. While existing timed parking restrictions will remain in effect at those locations for use by vehicles without a permit (such as in 15 minute, 30 minute or 1 hour parking zones), the permitted vehicle would have the convenience of parking for up to two-hours (at any time of day) in a permit-parking zone as designated by the City Manager. Therefore, a permitted vehicle will be allowed to park for two hours in these permit parking zones between 7:00 a.m. and 6:00 p.m. thereby allowing a Downtown resident to park from 4:00 p.m. in the afternoon until 9:00 a.m. the following morning without having to move their vehicle. This program includes a \$5 fee per residential unit and a limit of one (1) permit per licensed adult resident.

Following City Council's approval to implement this program, the Transportation Division completed the parking studies needed to verify the appropriate location of the permit parking zones. The City Treasurer's Office worked to obtain permit parking stickers that would effectively serve this program and determined that an alternative type of sticker would be needed. Therefore, the ordinance that specifically identifies the appropriate placement of the permit on the vehicle must be modified accordingly. The new stickers were received in February and are ready to be distributed to the downtown residents. Immediately following Council's approval of this ordinance modification, the downtown permit parking program will be implemented and available to the public. The appropriate signs, which have been installed and covered, will be uncovered and ready for use later today. Information about the implementation of this program and this pending Council action was delivered to the downtown residents on Friday, April 25, 2003. Therefore, residents have been advised that they can begin picking up permits following the approval of this recommended Council action.

Recommended Action:

City Council authorize the amendment of the City Code, Division 2, Residential Parking Permits, within Article IV, Stopping, Standing and Parking, of Chapter 20, Motor Vehicles and Traffic, to change the requirements pertaining to the display of residential permits and visitor passes. Currently, the Code requires that permits be displayed on the left rear bumper of the resident's vehicle; visitor passes are to be displayed in the left rear window. It is requested that this be changed to provide that permits shall be displayed on the left passenger window behind the driver in the lower left corner, and visitor passes shall hang from the interior rearview mirror with the zone location and expiration date visible from outside the front windshield.

Sincerely,

A handwritten signature in black ink, appearing to read "Darlene L. Burcham". The signature is fluid and cursive, with a large, stylized initial "D".

Darlene L. Burcham
City Manager

DLB/KHK/gpe

C: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Robert K. Bengtson, P.E., Director of Public Works
Kenneth H. King, Jr., Manager, Division of Transportation

#CM03-00078

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending Section 20-80 of Division 2 Residential Parking Permits, of Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, Code of the City of Roanoke (1979), as amended, amending the City's residential parking permit system; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. Section 20-80(d) of Division 2 Residential Parking Permits, of Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, Code of the City of Roanoke (1979), as amended, is amended to read and provide as follows:

§20-80. Permits Generally

- (d) Permits shall be displayed on the left ~~rear bumper of the resident's vehicle~~ *passenger window behind the driver in the lower left corner*. Visitor passes shall ~~be displayed in the left rear window~~ *hang from the interior rearview mirror with the zone location and expiration date visible from outside the front windshield*.

* * *

2. Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

Noel C. Taylor Municipal Building
215 Church Avenue, S.W., Room 364
Roanoke, Virginia 24011-1591
Telephone: (540) 853-2333
Fax: (540) 853-1138
CityWeb: www.roanokegov.com

May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Grant Award for FY'04
Temporary Assistance for Needy
Families (TANF) Funding for Job
Retention and Wage
Advancement

Background:

The Virginia Department of Social Services has allocated funds from the Federal TANF Grant to eligible state and community-based services. These funds must be used for the purposes of job retention and wage advancement of TANF recipients or for former TANF recipients in the period of ineligibility. The City of Roanoke will be developing a collaborative project combining its allocation of \$199,022 with those of Botetourt, Craig, Franklin, and Roanoke counties for a total of \$269,312.

Considerations:

The City of Roanoke will be issuing a Request for Proposals and entering into a contractual agreement with service providers for the delivery of medical assessment services and job development services for hard-to-employ recipients of TANF benefits.

Recommended Action:

Authorize acceptance of the grant award, appropriate TANF funding for job retention and wage advancement totaling \$269,312 and establish a revenue estimate of \$269,312 in an account established by the Director of Finance in the Grant Fund.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene L. Burcham". The signature is fluid and cursive, with the first name "Darlene" being more prominent.

Darlene L. Burcham
City Manager

DLB: vlp

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Vickie L. Price, Acting Director of Human Services
Rolanda B. Russell, Assistant City Manager for Community Development

#CM03-00077

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2002-2003 Grant Fund Appropriations, and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2002-2003 Grant Fund Appropriations be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Health and Welfare		\$4,491,589
Temporary Assistance for Needy Families (TANF) Hard-to-Serve (1).....		269,312

Revenues

Health and Welfare		\$4,491,589
Temporary Assistance for Needy Families (TANF) Hard-to-Serve (2).....		269,312

- | | | |
|-------------------------|---------------------|------------|
| 1) Fees for | | |
| Professional Services | (035-630-8852-2010) | \$ 269,312 |
| 2) State Grant Receipts | (035-630-8852-8852) | 269,312 |

Pursuant to the provisions of Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

PHC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing acceptance of a grant award under the Temporary Assistance for Needy Families (TANF) Funding for Job Retention and Wage Advancement from the Virginia Department of Social Services, for the purpose of providing job retention and wage advancement of TANF recipients or for former TANF recipients in the period of ineligibility, and authorizing execution of any and all necessary documents to comply with the terms and conditions of the grant.

WHEREAS, the City of Roanoke will be developing a collaborative project combining its allocation of funds from the Federal TANF Grant with those of Botetourt, Craig, Franklin and Roanoke counties for a total of \$269,312.00.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke that:

1. The grant award under the Temporary Assistance for Needy Families (TANF) Funding for Job Retention and Wage Advancement from the Virginia Department of Social Services, for the purpose of providing job retention and wage advancement for TANF recipients or for former TANF recipients in the period of ineligibility, in the amount of \$269,312.00, as set forth in the City Manager's letter to Council dated May 5, 2003, is hereby ACCEPTED.

2. The City Manager, or her designee, is hereby authorized to execute any and all requisite documents, including any documents providing for indemnification by the City as are required for the City's acceptance of this grant, pertaining to the City's acceptance of these funds and to furnish such additional information as may be required in connection with the City's acceptance of these grant funds. All documents shall be approved by the City Attorney.

ATTEST:

City Clerk.



CITY OF ROANOKE
OFFICE OF THE CITY MANAGER

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May 5, 2003

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: New Event Zone Organization
CM03-0080

This is to request space on Council's regular agenda for a report on the above referenced subject.

Respectfully submitted,

A handwritten signature in cursive script, reading "Darlene L. Burcham", is positioned above the printed name.

Darlene L. Burcham
City Manager

DLB:sm

c: City Attorney
City Clerk
Director of Finance



CITY OF ROANOKE

DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

May 5, 2003

The Honorable Ralph K. Smith, Mayor
 The Honorable C. Nelson Harris, Vice Mayor
 The Honorable William D. Bestpitch, Council Member
 The Honorable William H. Carder, Council Member
 The Honorable M. Rupert Cutler, Council Member
 The Honorable Alfred T. Dowe, Jr., Council Member
 The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: March Financial Report

This financial report covers the first nine months of the 2002-2003 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General fund revenues are up 2.78% or \$3,208,000 compared to the same period last year. Variances in specific categories of revenues are as follows:

General Property Taxes increased 3.93% or \$1,640,000. The second installment of real estate taxes was due April 5. As of March 31, real estate taxes increased 3.48% and achieved 81.70% of the estimate. Increased property values resulting from the annual reassessment program and new construction contributed to the growth in this category. These increases were partially offset by a decline in public service corporation taxes, due to a decrease in real estate assessments of public service corporation tax, as well as an increase in the number of refunds in FY03.

Other Local Taxes increased 1.70% or \$678,000. Electric utility consumer tax, which is based on usage, increased 5.53% due a warmer than normal summer and colder winter weather. Sales tax revenues were up 1.55% from the prior year at March 31st. Inclusive of the mid-April collection, representing retail sales activity for the month of February, collections have increased 1.18% on a year-to-date basis. Cellular phone tax revenue has increased due to efforts to ensure service providers correctly remit revenues to the proper jurisdictions. Business and professional occupational license (BPOL) tax, which was due March 1, declined slightly from the prior year, as expected.

Permits, Fees and Licenses declined 10.10% or \$76,000. Permit valuations for commercial projects during the first nine months of the current fiscal year were lower than the same period in the prior year, having a negative impact on building, plumbing and heating inspection fees. In addition, the number of building permits issued for commercial and residential projects has declined. Elevator inspection has been privatized with the majority of fees paid directly to a third party, causing a decline in elevator inspection revenues. There was also an expenditure decline related to this privatization effort.

Fines and Forfeitures increased 15.19% or \$126,000. Parking ticket revenue was up \$100,000 from the prior year. In late fall of 2001, the ticketing function was civilianized. As a result, the number of parking tickets issued increased substantially. The penalty for late payment of parking tickets was increased effective July 1, 2002, generating additional parking ticket revenue. New fees adopted in FY03 related to debt collection also generated additional revenue in this category.

Revenue from Use of Money and Property increased 11.96% of \$79,000 due to a timing difference in the receipt of rental income from the Commonwealth for space occupied by Social Services in the Municipal Building.

Charges for Services increased 13.11% or \$357,000. Several new fees were authorized by the 2002 General Assembly and were effective July 1, 2002, including a courthouse security fee, inmate processing fee and DNA sampling fee. These new fees have generated approximately \$73,000. Circuit Court Clerk fees were up due to the recording of deeds for a number of high value property sales in the current year. Favorable interest rates have encouraged refinancing, increasing the number of deeds and certificates of satisfaction recorded. An increase in caseload and an increase in the value of estates filed also contributed to the growth in Circuit Court Clerk fees. A new fee structure for bulk garbage collection generated additional revenue. EMS fees increased as a result of the rate increase effective April 1, 2002. While overall revenue in this category is up from the prior year due to fee increases and the establishment of new fees, several of these fees are under performing their estimates.

Miscellaneous Revenue declined 53.01% or \$146,000. In the prior year, funding was transferred from the Parking Fund to partially support the subsidy provided to the Greater Roanoke Transit Company (GRTC). However, this subsidy is being funded by the General Fund in the current year. In addition, a larger amount of surplus property sales proceeds were received in the prior year.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have decreased 0.50% or \$749,000 compared to FY02. Variances in individual expenditure categories are discussed as follows:

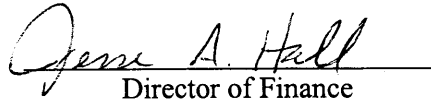
Parks, Recreation and Cultural expenditures declined 8.30% or \$309,000. Personal services costs of the Recreation department decreased. Several labor-intensive program cuts, the elimination of a project assistant position and shortened hours at pool facilities caused temporary wage costs to decline. In addition, pool supplies, a scoreboard and miscellaneous furnishings and appliances for the fitness centers were purchased in the prior year. Personal services costs of the Library decreased as several positions have been vacant during the year. Publications and subscription expenditures decreased as spending was consciously limited in anticipation of funding reductions from the State. Department of Technology charges also declined.

Transfer to Debt Service Fund increased 39.57% or \$4,806,000. The current fiscal year was the first year principal and interest payments were required for the Series 2002A General Obligation Bonds, and a larger principal payment was required on the Series 1997B Bonds, increasing the required transfer amount. The final principal and interest payments were made in the prior fiscal year for Series 1992 Refunding Bonds, partially offsetting these increases.

Nondepartmental expenditures decreased 41.46% or \$4,427,000. In the prior year, essentially all transfers to the Capital Projects Fund were made at the beginning of the year. To be consistent with other General Fund budgeted transfers, a portion of these transfers were made mid-year and the remainder are planned for the end of the year in FY03. This change is also reflective of a decrease in the amount to be transferred to the Capital Projects Fund and decreases in CMERP funding transferred to the Capital Projects and Department of Technology Funds in the current year.

Honorable Mayor and Members of Council
May 5, 2003
Page 3

I would be pleased to answer questions City Council may have regarding the monthly financial statements.


Director of Finance

JAH/tht
Attachments

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
MARCH 31, 2003**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>General Fund:</u>					
CMT-1368	09/03/02	The Art Project Feasibility Study	Contingency*	Memberships and Affiliations	\$ 37,500
CMT-649	09/26/02	American Flag Inventory	Police Patrol	Transportation-Engineering and Operations	5,100
CMT-651	11/12/02	Terrorism Conference	Fire-Support	Environmental Services and Emergency Management	1,195
CMT-653	11/11/02	Terrorism Conference	Police Training	Environmental Services and Emergency Management	669
CMT-657	12/02/02	Reorganization of Neighborhood Partnership	Planning, Building and Development	Neighborhood Partnership	13,659
CMT-663	12/04/02	Parking Lot Paving at Mountain View Recreation Center	Police Patrol	Parks	11,900
CMT-659	12/06/02	Victory Stadium Parking Lot Grading	Parks and Recreation Administration	Transportation-Streets and Traffic	3,900
CMT-1403	12/18/02	Temporary Wages	Crisis Intervention	Youth Haven	3,800
CMT-667	01/10/03	Legal Fees	Police Patrol	Economic Development	21,591
CMT-677	01/14/03	Fees For Professional Services	Contingency*	City Attorney	30,000
CMT-675	01/15/03	Shredder	Police Patrol	Commissioner of the Revenue	1,344
CMT-679	02/03/03	Temporary Wages	Transfers To Other Funds	Engineering	10,318
CMT-687	02/21/03	Supplement Operating Expenses	Contingency*	City Council	43,175
CMT-685	02/28/03	Temporary Wages	Transfers To Other Funds	Engineering	4,006
CMT-689	02/28/03	Chemicals Purchase	Contingency*	Transportation-Snow Removal	69,400
CMT-1428	03/01/03	Wages-Segregate Revenue Maximization Coordinator	Social Services-Administration	Social Services-Revenue Maximization	41,492
CMT-693	03/12/03	Cycle Program For Youth	Fire-Administration	Police Patrol	1,500
CMT-695	03/13/03	Used Twelve Passenger Van	Outreach Detention	Transfer to Fleet Management	12,000
CMT-1431	03/13/03	Supplement Operating Expenses	Crisis Intervention	Outreach Detention	1,110
CMT-697	03/25/03	Supplement Operating Expenses	Contingency*	Board of Equalization	17,623
Total General Fund					<u>\$ 331,282</u>
<u>Capital Projects Fund:</u>					
CMT-646	09/20/02	Century Square Project	Special Park Project Grants	Sister City Century Square Upgrade	\$ 145
CMT-646	09/20/02	Century Square Project	Roanoke River Center Phase I	Sister City Century Square Upgrade	3,855
CMT-1385	10/31/02	Final Household Hazardous Waste Collection Day	Capital Improvement Reserve	Environmental Issues-PWSC	5,000
CMT-1385	10/31/02	Final Household Hazardous Waste Collection Day	Capital Improvement Reserve	Settlement State DEQ-PWSC	60,000
CMT-665	01/06/03	Environmental Cleanup	Smith Park Riparian	Environmental Issues-PWSC	22,992

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
MARCH 31, 2003
(CONTINUED)**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>Capital Projects Fund:</u>					
CMT-691	03/19/03	Trout Run Culvert Repairs	Garden City Phase 3 Draining Project	Trout Run Culvert Repairs	72,874
CMT-1430	03/27/03	Traffic Signal Poles	Second Street/Gains- boro/Wells Avenue	Traffic Signals General	30,000
				Total Capital Projects Fund	<u>\$ 194,866</u>
<u>Available Contingency</u>					
		Balance of Contingency at July 1, 2002			\$ 476,300
		*Contingency Transfers From Above			(197,698)
Contingency Appropriations Through Budget Ordinances:					
BO 36022	08/19/02	Drug Prosecutor Local Match	Contingency	Transfer to Grant Fund	(9,381)
BO 36154	12/16/02	Virginia Exile Grant Unused Local Match	Transfer to Grant Fund	Contingency	13,643
BO 36239	02/21/03	Snow Removal	Contingency	Transportation-Snow Removal	(115,000)
		Available Contingency at March 31, 2003			<u>\$ 167,864</u>

**CITY OF ROANOKE, VIRGINIA
GENERAL FUND**

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Mar 31 2001-2002	July 1 - Mar 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
General Property Taxes	\$ 41,710,526	\$ 43,350,949	3.93 %	\$ 78,340,707	55.34%
Other Local Taxes	39,849,165	40,527,622	1.70 %	59,301,164	68.34%
Permits, Fees and Licenses	754,820	678,589	-10.10 %	1,030,694	65.84%
Fines and Forfeitures	832,523	958,965	15.19 %	1,116,350	85.90%
Revenue from Use of Money and Property	659,404	738,255	11.96 %	1,082,729	68.18%
Grants-in-Aid Commonwealth	27,004,243	27,663,125	2.44 %	46,009,506	60.12%
Grants-in-Aid Federal Government	17,179	17,179	0.00 %	34,300	50.08%
Charges for Services	2,724,135	3,081,329	13.11 %	4,353,761	70.77%
Miscellaneous Revenue	275,168	129,313	-53.01 %	315,045	41.05%
Internal Services	1,529,279	1,419,249	-7.19 %	2,302,219	61.65%
Total	\$ 115,356,442	\$ 118,564,575	2.78 %	\$ 193,886,475	61.15%

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Mar 31 2001-2002	July 1 - Mar 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
General Government	\$ 8,847,163	\$ 8,514,228	-3.76 %	\$ 3,198,907	\$ 11,713,135	72.69%
Judicial Administration	4,352,795	4,493,327	3.23 %	1,800,079	6,293,406	71.40%
Public Safety	34,994,134	33,933,710	-3.03 %	12,505,576	46,439,286	73.07%
Public Works	19,004,722	18,074,397	-4.90 %	6,793,188	24,867,585	72.68%
Health and Welfare	19,132,785	19,132,572	0.00 %	8,316,181	27,448,753	69.70%
Parks, Recreation and Cultural	3,724,996	3,415,849	-8.30 %	1,390,280	4,806,129	71.07%
Community Development	3,672,130	3,824,279	4.14 %	1,700,095	5,524,374	69.23%
Transfer to Debt Service Fund	12,147,503	16,953,899	39.57 %	(106,857)	16,847,042	100.63%
Transfer to School Fund	34,517,645	35,729,370	3.51 %	11,679,186	47,408,556	75.36%
Nondepartmental	10,677,810	6,250,789	-41.46 %	5,054,592	11,305,381	55.29%
Total	\$ 151,071,683	\$ 150,322,420	-0.50 %	\$ 52,331,227	\$ 202,653,647	74.18%

Note:

Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
SCHOOL FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Mar 31 2001-2002	July 1 - Mar 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
State Sales Tax	\$ 5,178,847	\$ 5,133,378	-0.88 %	\$ 9,226,504	55.64 %
Grants-in-Aid Commonwealth	28,135,943	30,508,825	8.43 %	43,236,695	70.56 %
Grants-in-Aid Federal Government	73,687	94,342	28.03 %	115,298	81.82 %
Charges for Services	1,232,842	1,429,159	15.92 %	2,127,968	67.16 %
Transfer from General Fund	34,517,645	35,729,369	3.51 %	47,408,556	75.36 %
Special Purpose Grants	6,794,945	7,295,113	7.36 %	10,663,737	NA
Total	\$ 75,933,909	\$ 80,190,186	5.61 %	\$ 112,778,758	71.10 %

SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Mar 31 2001-2002	July 1 - Mar 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Instruction	\$ 52,748,139	\$ 53,938,836	2.26 %	\$ 21,941,674	\$ 75,880,510	71.08 %
General Support	2,496,248	2,663,565	6.70 %	1,370,407	4,033,972	66.03 %
Transportation	2,819,749	2,977,950	5.61 %	1,064,268	4,042,218	73.67 %
Operation and Maintenance of Plant	7,020,282	7,730,610	10.12 %	3,210,803	10,941,413	70.65 %
Facilities	1,643,448	1,631,889	-0.70 %	499,434	2,131,323	76.57 %
Other Uses of Funds	6,120,753	6,525,072	6.61 %	546,647	7,071,719	92.27 %
Special Purpose Grants	10,529,069	10,663,737	1.28 %	-	10,663,737	NA
Total	\$ 83,377,688	\$ 86,131,659	3.30 %	\$ 28,633,233	\$ 114,764,892	75.05 %

Note:

Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
SCHOOL FOOD SERVICES FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Mar 31 2001-2002	July 1 - Mar 31 2002-2003	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
Grants-in-Aid Commonwealth	\$ 84,483	\$ 85,171	0.81 %	\$ 84,464	100.84 %
Grants-in-Aid Federal Government	2,001,844	1,652,122	-17.47 %	2,747,730	60.13 %
Charges for Services	1,105,768	952,858	-13.83 %	1,689,923	56.38 %
Total	\$ 3,192,095	\$ 2,690,151	-15.72 %	\$ 4,522,117	59.49 %

SCHOOL FOOD SERVICES FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Mar 31 2001-2002	July 1 - Mar 31 2002-2003	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
Food Services	\$ 3,289,464	\$ 2,966,990	-9.80 %	\$ 1,558,501	\$ 4,525,491	65.56 %
Facilities	-	24,092	100.00 %	25,315	49,407	48.76 %
Total	\$ 3,289,464	\$ 2,991,082	-9.07 %	\$ 1,583,816	\$ 4,574,898	65.38 %

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF MARCH 31, 2003**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
General Government	\$ 11,178,639	\$ 9,021,030	\$ 2,157,609	\$ 1,048,987	\$ 1,108,622
Flood Reduction	18,695,464	7,644,283	11,051,181	205,390	10,845,791
Economic Development	25,185,051	16,027,392	9,157,659	63,274	9,094,385
Community Development	6,924,402	5,590,800	1,333,602	726,079	607,523
Public Safety	8,234,803	6,938,235	1,296,568	360,355	936,213
Recreation	25,570,198	5,010,999	20,559,199	1,404,190	19,155,009
Streets and Bridges	26,084,907	17,451,206	8,633,701	1,439,791	7,193,910
Storm Drains	3,516,831	2,341,774	1,175,057	492,914	682,143
Traffic Engineering	5,640,630	4,274,667	1,365,963	156,035	1,209,928
Capital Improvement Reserve	415,749	-	415,749	-	415,749
Total	\$ 131,446,674	\$ 74,300,386	\$ 57,146,288	\$ 5,897,015	\$ 51,249,273

**CITY OF ROANOKE, VIRGINIA
SCHOOL CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF MARCH 31, 2003**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
Elementary Schools Renovation	\$ 18,287,351	\$ 5,757,555	\$ 12,529,796	\$ 10,709,621	\$ 1,820,175
Middle Schools Renovation	983,188	962,733	20,455	1,823	18,632
High Schools Renovation	527,679	277,526	250,153	153	250,000
Transportation Facility Renovation	1,000,000	88,604	911,396	565,616	345,780
Interest Expense	262,929	224,353	38,576	-	38,576
Capital Improvement Reserve	356,271	-	356,271	-	356,271
Total	\$ 21,417,418	\$ 7,310,771	\$ 14,106,647	\$ 11,277,213	\$ 2,829,434

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
COMPARATIVE STATEMENT OF REVENUES
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
Interest Revenue:		
Interest on Bond Proceeds	\$ 777,756	\$ 485,011
Interest on SunTrust Lease	451	11,278
Interest on Idle Working Capital	226,001	370,732
Total Interest Revenue	<u>1,004,208</u>	<u>867,021</u>
Multi Year Revenues:		
Intergovernmental Revenue:		
Federal Government:		
FEMA - Regional Mitigation Project	-	19,223
Commonwealth:		
Passenger Station Improvement - ISTE	456,081	118,989
VDES - Garden City Mitigation Project	-	10,143
Mill Mountain Greenway - ISTE	188,399	-
Virginia Transportation Museum - ISTE	357,791	16,176
Raiside Linear Walk - ISTE	298,564	-
Lick Run Greenway - TEA21	50,367	-
Total Intergovernmental Revenue	<u>1,351,202</u>	<u>164,531</u>
Revenue from Third Parties:		
Advance Stores Governor's Opportunity Fund Agreement	170,000	-
First Union Job Grant Repayment	31,200	44,400
Anthem Insurance - Land Sale	-	100
Times-World Corporation - Land Sale	-	3,100
Mill Mountain Greenway - Fralin Trust Donation	20,000	-
Roanoke Times Air Right Lease	-	8,500
Total Revenue from Third Parties	<u>221,200</u>	<u>56,100</u>
Other Revenue:		
Transfer from General Fund	2,469,578	4,438,517
Transfer from Water Fund	-	375,000
Transfer from Fleet Management Fund	41,940	-
General Obligation Bond Proceeds - Series 2002	-	41,530,000
Total Other Revenue	<u>2,511,518</u>	<u>46,343,517</u>
Total	<u>\$ 5,088,128</u>	<u>\$ 47,431,169</u>

**CITY OF ROANOKE, VIRGINIA
WATER FUND
COMPARATIVE INCOME STATEMENT
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Commercial Sales	\$ 3,233,566	\$ 3,202,542
Domestic Sales	2,559,499	2,450,813
Industrial Sales	428,775	504,477
Town of Vinton	20,418	20,761
City of Salem	25,289	20,000
County of Botetourt	171,485	154,915
County of Bedford	21,689	13,030
Customer Services	259,520	488,280
Charges for Services	<u>2,223,792</u>	<u>1,916,521</u>
Total Operating Revenues	<u>8,944,033</u>	<u>8,771,339</u>
Operating Expenses		
Personal Services	3,340,976	3,192,673
Operating Expenses	4,066,944	3,394,738
Purchased Water - Roanoke County	1,907,359	-
Purchased Water - City of Salem	589,419	-
Depreciation	<u>1,240,471</u>	<u>1,258,973</u>
Total Operating Expenses	<u>11,145,169</u>	<u>7,846,384</u>
Operating Income (Loss)	<u>(2,201,136)</u>	<u>924,955</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	62,821	157,491
Rent	91,900	56,515
Sale of Land	-	375,000
Miscellaneous Revenue	47,359	41,641
Transfer to Capital Projects Fund	-	(375,000)
Transfer to Department of Technology Fund	(41,146)	-
Interest and Fiscal Charges	<u>(782,049)</u>	<u>(776,298)</u>
Net Nonoperating Expenses	<u>(621,115)</u>	<u>(520,651)</u>
Net Income (Loss)	<u><u>\$ (2,822,251)</u></u>	<u><u>\$ 404,304</u></u>

Note: Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
WATER POLLUTION CONTROL FUND
COMPARATIVE INCOME STATEMENT
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Sewage Charges - City	\$ 4,516,586	\$ 4,858,712
Sewage Charges - Roanoke County	944,068	497,648
Sewage Charges - Vinton	185,730	145,016
Sewage Charges - Salem	848,978	530,409
Sewage Charges - Botetourt County	165,101	99,612
Customer Services	204,621	166,942
Interfund Services	<u>148,650</u>	<u>130,933</u>
Total Operating Revenues	<u>7,013,734</u>	<u>6,429,272</u>
Operating Expenses		
Personal Services	1,581,437	1,594,742
Operating Expenses	3,653,632	4,385,371
Depreciation	<u>1,399,491</u>	<u>1,029,579</u>
Total Operating Expenses	<u>6,634,560</u>	<u>7,009,692</u>
Operating Income (Loss)	<u>379,174</u>	<u>(580,420)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	108,231	134,128
Miscellaneous Revenue	321	91
Capital Contributions - Other Jurisdictions	97,832	930,095
Transfer to Department of Technology Fund	(27,248)	-
Interest and Fiscal Charges	<u>(557,917)</u>	<u>(569,682)</u>
Net Nonoperating Revenues (Expenses)	<u>(378,781)</u>	<u>494,632</u>
Net Income (Loss)	<u><u>\$ 393</u></u>	<u><u>\$ (85,788)</u></u>

Note: Prior year financial statements have been restated to conform to current year presentation.

**CITY OF ROANOKE, VIRGINIA
CIVIC CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Rentals	\$ 238,833	\$ 374,208
Event Expenses	84,507	201,177
Display Advertising	6,000	75,200
Admissions Tax	121,490	132,159
Electrical Fees	6,710	12,991
Novelty Fees	50,612	27,146
Facility Surcharge	50,004	177,524
Charge Card Fees	5,743	37,128
Commissions	52,856	5,373
Catering/Concessions	602,417	887,447
Other	14,205	13,857
Total Operating Revenues	<u>1,233,377</u>	<u>1,944,210</u>
Operating Expenses		
Personal Services	1,450,936	1,485,238
Operating Expenses	1,545,005	1,465,791
Depreciation	447,602	218,131
Total Operating Expenses	<u>3,443,543</u>	<u>3,169,160</u>
Operating Loss	<u>(2,210,166)</u>	<u>(1,224,950)</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	14,988	21,989
Transfer from General Fund-Operating	677,815	712,565
Transfer from General Fund-Nonoperating	-	830,000
Transfer from General Fund-Victory Stadium	102,278	102,278
Transfer from Capital Projects Fund	-	385,000
Transfer to Debt Service Fund	(69,330)	-
Transfer to Department of Technology Fund	(47,754)	-
Loss on Disposal of Fixed Assets	(15,352)	-
Miscellaneous	8,733	2,425
Net Nonoperating Revenues	<u>671,378</u>	<u>2,054,257</u>
Net Income (Loss)	<u><u>\$ (1,538,788)</u></u>	<u><u>\$ 829,307</u></u>

**CITY OF ROANOKE, VIRGINIA
PARKING FUND
COMPARATIVE INCOME STATEMENT
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Revenues		
Century Station Parking Garage	\$ 281,660	\$ 290,572
Williamson Road Parking Garage	333,634	330,280
Market Square Parking Garage	170,374	161,716
Church Avenue Parking Garage	366,449	346,417
Tower Parking Garage	297,349	267,774
Gainsboro Parking Garage	27,888	3,599
Williamson Road Surface Lots	56,205	54,403
Norfolk Avenue Surface Lot	43,244	31,992
Gainsboro Surface Lot	25,732	21,418
Other Surface Lots	54,011	-
	<u>1,656,546</u>	<u>1,508,171</u>
Total Operating Revenues		
Operating Expenses		
Operating Expenses	788,340	682,710
Depreciation	413,583	406,682
	<u>1,201,923</u>	<u>1,089,392</u>
Total Operating Expenses		
Operating Income	<u>454,623</u>	<u>418,779</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	4,061	21,292
Transfer from General Fund	119,778	32,000
Transfer to General Fund	-	(104,918)
Interest and Fiscal Charges	(441,916)	(372,842)
Miscellaneous	-	1,684
	<u>(318,077)</u>	<u>(422,784)</u>
Net Nonoperating Expenses		
Net Income (Loss)	<u><u>\$ 136,546</u></u>	<u><u>\$ (4,005)</u></u>

**CITY OF ROANOKE, VIRGINIA
MARKET BUILDING FUND
INCOME STATEMENT
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	<u>FY 2003</u>
Operating Revenues	
Retail Space Rental	<u>\$ 69,327</u>
Total Operating Revenues	<u>69,327</u>
Operating Expenses	
Operating Expense	36,554
Depreciation	<u>1,852</u>
Total Operating Expenses	<u>38,406</u>
Operating Income	<u>30,921</u>
Nonoperating Revenues	
Interest on Investments	952
Transfer From Capital Projects Fund	295,000
Capital Contributions	<u>289,220</u>
Net Nonoperating Revenues	<u>585,172</u>
Net Income	<u><u>\$ 616,093</u></u>

**CITY OF ROANOKE, VIRGINIA
HOTEL ROANOKE CONFERENCE CENTER COMMISSION
COMPARATIVE INCOME STATEMENT
FOR THE NINE MONTHS ENDED MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
Operating Expenses		
Salaries and Fringe Benefits	\$ 36,316	\$ 34,986
Fees for Professional Services	57,705	56,810
Administrative Expenses	<u>2,924</u>	<u>36,703</u>
Total Operating Expenses	<u>96,945</u>	<u>128,499</u>
Nonoperating Revenues (Expenses)		
Contributions from City of Roanoke	125,000	131,250
Contributions from Virginia Tech	125,000	131,250
Construction Repairs	-	(57,429)
Interest on Investments	<u>50,067</u>	<u>82,523</u>
Net Nonoperating Revenues	<u>300,067</u>	<u>287,594</u>
Net Income Before Depreciation	203,122	159,095
Depreciation Expense	<u>(383,427)</u>	<u>(340,944)</u>
Net Loss	<u>\$ (180,305)</u>	<u>\$ (181,849)</u>

Note: Financial information represents activity of the Commission as accounted for in the City's financial records.

**CITY OF ROANOKE, VIRGINIA
INTERNAL SERVICE FUNDS
COMPARATIVE INCOME STATEMENT
FOR THE NINE MONTHS ENDING MARCH 31, 2003**

	Department of Technology	Fleet Management	Risk Management	TOTALS	
				FY 2003	FY 2002
Operating Revenues					
Charges for Services	\$ 3,088,960	\$ 3,658,139	\$ 7,952,963	\$ 14,700,062	\$ 13,671,777
Total Operating Revenues	3,088,960	3,658,139	7,952,963	14,700,062	13,671,777
Operating Expenses					
Personal Services	1,638,572	951,022	111,363	2,700,957	2,724,901
Operating Expenses	1,028,554	1,410,533	8,790,372	11,229,459	9,808,668
Depreciation	532,416	1,512,630	-	2,045,046	1,887,378
Total Operating Expenses	3,199,542	3,874,185	8,901,735	15,975,462	14,420,947
Operating Loss	(110,582)	(216,046)	(948,772)	(1,275,400)	(749,170)
Nonoperating Revenues (Expenses)					
Interest Revenue	65,178	15,695	142,994	223,867	357,758
Interest Expense	(6,500)	(58,242)	-	(64,742)	(50,495)
Transfers From General Fund	629,229	817,338	250,000	1,696,567	3,375,886
Transfer From Water Fund	41,146	-	-	41,146	-
Transfer From Water Pollution Control Fund	27,248	-	-	27,248	-
Transfer From Civic Center Fund	47,754	-	-	47,754	-
Transfer to Capital Projects Fund	-	(41,940)	-	(41,940)	-
Transfer to Grant Fund	-	-	-	-	(41,350)
Loss on Disposal of Fixed Assets	(26,080)	(1,504)	-	(27,584)	(44,034)
Other Revenue	-	-	-	-	10,183
Net Nonoperating Revenues	777,975	731,347	392,994	1,902,316	3,607,948
Net Income (Loss)	\$ 667,393	\$ 515,301	\$ (555,778)	\$ 626,916	\$ 2,858,778

Note: Prior year financial statements have been restated to conform to current year presentation.

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED MARCH 31, 2003

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR
THE FUNDS OF SAID CITY FOR THE MONTH ENDED MARCH 31, 2003.

FUND	BALANCE AT FEB 28, 2003	RECEIPTS	DISBURSEMENTS	BALANCE AT MAR 31, 2003	BALANCE AT MAR 31, 2002
GENERAL	(\$17,326,829.62)	\$28,264,470.76	\$13,949,561.81	(\$3,011,920.67)	(\$4,229,452.43)
WATER	3,708,900.23	443,535.57	439,493.93	3,712,941.87	12,142,600.18
WATER POLLUTION CONTROL	8,261,118.03	2,000,899.66	1,771,836.72	8,490,180.97	7,335,328.83
CIVIC FACILITIES	1,062,624.24	225,458.87	647,019.93	641,063.18	3,192,913.85
PARKING	345,964.69	192,064.90	205,875.73	332,153.86	2,841,351.88
CAPITAL PROJECTS	56,202,753.44	1,001,162.93	825,601.88	56,378,314.49	66,489,818.03
MARKET BUILDING OPERATIONS	340,511.82	22,944.42	20,846.51	342,609.73	0.00
CONFERENCE CENTER	3,871,789.21	2,428.54	10,804.07	3,863,413.68	4,212,197.42
RKE VALLEY DETENTION COMM	0.00	0.00	0.00	0.00	2,306,828.98
DEBT SERVICE	14,523,336.14	14,700.36	1,872,728.74	12,665,307.76	13,302,849.72
DEPT OF TECHNOLOGY	5,354,120.75	187,821.21	382,026.29	5,159,915.67	5,803,930.77
MATERIALS CONTROL	0.00	0.00	0.00	0.00	305,815.70
FLEET MANAGEMENT	1,284,559.95	366,690.26	244,588.03	1,406,662.18	853,478.09
PAYROLL	(11,861,467.81)	14,754,575.59	16,603,801.76	(13,710,693.98)	(13,736,393.05)
RISK MANAGEMENT	11,574,529.20	702,774.14	669,449.64	11,607,853.70	11,938,260.28
PENSION	548,138.53	1,393,700.66	1,413,441.14	528,398.05	2,012,268.64
SCHOOL FUND	9,768,947.06	5,663,366.37	5,868,460.43	9,563,853.00	6,389,688.18
SCHOOL CAPITAL PROJECTS	9,361,061.80	3,977.41	38,287.08	9,326,752.13	6,897,553.84
SCHOOL FOOD SERVICE	171,675.19	339,097.18	349,710.64	161,061.73	244,930.49
FDETC	88,518.96	107,726.02	104,398.50	91,846.48	23,431.40
GRANT	1,508,632.10	280,464.46	673,550.03	1,115,546.53	670,252.96
TOTAL	\$98,788,883.91	\$55,967,859.31	\$46,091,482.86	\$108,665,260.36	\$128,997,653.76

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED MARCH 31, 2003.
THAT SAID FOREGOING:

CASH:

CASH IN HAND \$19,012.93
CASH IN BANK 2,501,451.02

INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:

COMMERCIAL HIGH PERFORMANCE MONEY MARKET 10,463,381.50
LOCAL GOVERNMENT INVESTMENT POOL 22,253,756.89
MONEY MANAGEMENT ACCOUNT 10,368,448.54
REPURCHASE AGREEMENTS 15,000,000.00
U. S. AGENCIES 8,400,000.00
VIRGINIA AIM PROGRAM (U. S. SECURITIES) 39,659,209.48
TOTAL \$108,665,260.36

DATE: APRIL 16, 2003


DAVID C. ANDERSON, TREASURER

**CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE NINE MONTHS ENDED MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
<u>Additions:</u>		
Employer Contributions	\$ 3,016,240	\$ 3,072,170
Investment Income		
Net Appreciation (Depreciation) in Fair Value of Investments	(23,200,514)	(4,717,758)
Interest and Dividend Income	2,236,061	2,644,428
Total Investment Income (Loss)	(20,964,453)	(2,073,330)
Less Investment Expense	153,659	51,775
Net Investment Income (Loss)	(21,118,112)	(2,125,105)
Total Additions (Deductions)	<u>\$ (18,101,872)</u>	<u>\$ 947,065</u>
 <u>Deductions</u>		
Benefits Paid to Participants	\$ 12,441,715	\$ 11,126,897
Administrative Expenses	285,972	305,237
Total Deductions	<u>12,727,687</u>	<u>11,432,134</u>
Net Increase (Decrease)	(30,829,559)	(10,485,069)
 Net Assets Held in Trust for Pension Benefits:		
Fund Balance, July 1	289,534,315	326,337,980
Fund Balance, March 31	<u><u>\$258,704,756</u></u>	<u><u>\$315,852,911</u></u>

**CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
MARCH 31, 2003**

	<u>FY 2003</u>	<u>FY 2002</u>
<u>Assets</u>		
Cash	\$ 528,190	\$ 1,978,980
Investments, at Fair Value	259,588,137	315,180,828
Due from Other Funds	1,590	1,590
Other Assets	<u>5,785</u>	<u>5,434</u>
Total Assets	<u>\$ 260,123,702</u>	<u>\$ 317,166,832</u>
 <u>Liabilities and Fund Balance</u>		
Liabilities:		
Due to Other Funds	\$ 1,416,694	\$ 1,269,734
Accounts Payable	<u>2,252</u>	<u>44,187</u>
Total Liabilities	<u>1,418,946</u>	<u>1,313,921</u>
 Fund Balance:		
Fund Balance, July 1	289,534,315	326,337,980
Net Gain (Loss) - Year to Date	<u>(30,829,559)</u>	<u>(10,485,069)</u>
Total Fund Balance	<u>258,704,756</u>	<u>315,852,911</u>
Total Liabilities and Fund Balance	<u>\$ 260,123,702</u>	<u>\$ 317,166,832</u>



CITY OF ROANOKE DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

Roanoke, Virginia 24006-1220

Telephone: (540) 853-2821

Fax: (540) 853-6142

JESSE A. HALL

Director of Finance

email: jesse_hall@ci.roanoke.va.us

ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Authority to Waive Penalty and Interest

Section 2-238 of the Code of the City of Roanoke ("City Code") provides authority for the Director of Finance to accept interest or penalty payments at a rate less than prescribed and to waive interest in certain circumstances. These circumstances are specifically described as: a) for assessments against owners of abutting property for public improvements, b) for charges levied against landowners for failure to remove noxious weeds or for removal of buildings, walls or other structures which might endanger the public health and safety, and c) for city taxes.

The Director of Finance administers a city wide accounts receivable billing system which generates invoices for various types of charges such as bad checks, intergovernmental agency charges, leases, sewage dumping fees, police report fees, solid waste collection fees, and emergency medical service billings. This system also generates invoices for removal of noxious weeds and for removal of buildings which are specifically set forth in Section 2-238. This system applies a 10% or \$10 minimum late payment penalty along with interest at the legal rate. It is sometimes necessary to waive penalty and interest on these types of billings due to timing differences in payments, possible errors or when a disputed billing is being resolved. Additionally, the Director of Finance administers parking tickets for which similar authority for waiver of the \$15 late payment penalty is also needed. Waiver of penalty or interest is not a common occurrence, but is needed in certain legitimate circumstances.

Honorable Mayor and Members of Council
May 5, 2003
Page 2

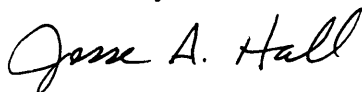
Consideration:

A modification to Section 2-238 of the City Code to include "other fees and charges owed the City" would provide proper legal authority for waiver of penalty and interest for invoices and parking tickets.

Recommended Action:

Amend Section 2-238 of the City Code to provide authority for the Director of Finance to waive penalty and interest applied to other fees and charges in addition to the specifically listed charges or taxes.

Sincerely,

A handwritten signature in black ink that reads "Jesse A. Hall". The signature is written in a cursive, flowing style.

Jesse A. Hall
Director of Finance

JAH/dl

c: Darlene L. Burcham, City Manager
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending §2-238, Authority to reduce or waive interest and penalty payments, of Article XI, Director of Finance, of Chapter 2, Administration, of the Code of the City of Roanoke (1979), as amended, by expanding the authority of the Director of Finance regarding reduction or waiver of interest and penalty payments on fees and charges owed the City; and dispensing with the second reading by title paragraph of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 2-238, Authority to reduce or waive interest and penalty payments, of Article XI, Director of Finance of Chapter 2, Administration of the Code of the City of Roanoke (1979), shall be amended and reordained to read and provide as follows:

Sec. 2-238. Authority to reduce or waive interest and penalty payments.

The director of finance, when in his discretion it is just and proper, may accept interest or penalty payments at a rate less than that prescribed by this Code or may waive such interest or penalty payments for failure to pay in a timely fashion any of the following obligations:

- (1) Assessments against owners of abutting property for public improvements.
- (2) Charges levied against landowners for failure to remove noxious weeds or for removal of buildings, walls or other structures which might endanger the public health and safety.
- (3) City taxes.
- (4) *Other fees and charges owed the City.*

2. Pursuant to §12 of the Roanoke City Charter, the second reading by title of this ordinance is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE

DEPARTMENT OF FINANCE

215 Church Avenue, S.W., Room 461

P.O. Box 1220

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ANN H. SHAWVER

Deputy Director

email: ann_shawver@ci.roanoke.va.us

May 5, 2003

Honorable Ralph K. Smith, Mayor
 Honorable C. Nelson Harris, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable William H. Carder, Council Member
 Honorable M. Rupert Cutler, Council Member
 Honorable Alfred T. Dowe, Jr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Parking Ticket and Decal Ticket Process Improvement

A team comprised of members from the Department of Billings & Collections, City Treasurer, Department of Technology and the Police Department have reviewed the current parking ticket and decal ticket process and made recommendations for improvement that will have a positive impact on efficiency in processing, collections and customer service.

The current parking ticket and decal ticket process has been in place, essentially unchanged except for fine increases, for over 30 years. The existing process requires that parking tickets and decal tickets be paid within 10 calendar days or a \$15 late payment penalty is automatically added. For tickets unpaid after 10 days, a law enforcement notice is mailed providing 5 calendar days for the violator to pay the fine in full, including the late payment penalty. If unpaid after a 15-20 calendar day timeframe, a court summons is automatically issued and the violator incurs court costs in addition to the ticket and late payment penalty.

Since tickets and late payment penalties have steadily increased, and business processes have changed in other areas, it became important to assess potential improvements to the parking ticket and decal ticket process. Customers (violators) have continually said they need more time to pay. Between customers' work schedules and timing of their paychecks, many cannot pay within the 15-20 days

before a court summons is issued. We have also found that many payments were mailed between the time the original ticket was issued and the law enforcement notice and the court summons were sent, which imposes additional manual work on the part of several City departments.

Sections 20-33.1, 20-33.2 and 20-89 of the Code of the City of Roanoke (City Code) provide that partial payments may not be accepted by the City Treasurer. When tickets were only \$2, this was an appropriate guideline. However, tickets now range from \$15 to \$125, not including a \$15 late payment penalty and fees. While business practice dictates that the goal should be to always collect ticket payments in full, partial payments are often received through the mail or are necessary to accommodate a particular situation. A change to this section of the City Code will allow the City Treasurer to properly process payment.

The fine for city decal violations is \$43. Pursuant to a regional enforcement compact, the city is also authorized to ticket vehicles from surrounding jurisdictions with expired decals. The fine for decal violations for vehicles from surrounding jurisdictions (Section 20-33.2) has not been increased for some time. The fine should be increased to be the same as the fine imposed for city decal violations pursuant to section 20-33.1.

When parking fines were adjusted in May 2002, the Virginia Western Community College ("VWCC") fine structure was not properly addressed. We propose increasing the parking fines at VWCC from \$15 to \$20. VWCC concurs with this recommendation.

Considerations:

The City's current process greatly impacts the workload in General District Court. Ticket volume has increased from 17,850 tickets in 2000 to 25,000 tickets in 2002. As the volume of tickets has increased without a corresponding allowance for processing time, more tickets than ever are being referred to General District Court.

In order to decrease costs associated with processing and mailing law enforcement notices and court summons and to increase efficiency, we recommend increasing the length of time for customers to pay the tickets as noted on the attachment. We also recommend mailing a late notice prior to the law enforcement notice. In a survey of other localities, most generated late notices to customers providing more time to pay while few referred tickets to court unless contested. Extending the time before a ticket is sent to court would increase

collections and provide better customer service as well as greater efficiency. This recommendation is also supported by General District Court. We do not expect any negative impact on revenue collections.

We are also taking this opportunity to eliminate redundant provisions in the ordinance and bring provisions into compliance with current state law.

We recommend issuing a law enforcement notice warning violators with unpaid tickets of the liability for a \$30 administrative fee as set forth in Section 58.1–3958 in the Code of Virginia and in Section 2–178.4 of the City Code should a court summons be issued.

Recommended Action:

Amend Sections 20-33.1, 20-33.2 and 20-89 of the Code of the City of Roanoke to:

- Increase the number of days for ticket processing prior to court summons from 15 to 45 and provide for issuance of a late notice prior to issuance of a law enforcement notice.
- Provide that the late payment penalty does not apply until after 15 days from ticket issuance.
- Provide authority for the City Treasurer to accept partial payments of parking tickets and late payment charges.
- Specify that a \$30 administrative fee may be applied to the total charges pursuant to section 2-178.4 of the Code of the City of Roanoke (1979), as amended

Amend Section 20-89 of the Code of the City of Roanoke to:

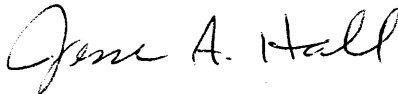
- Eliminate redundant provisions.
- Increase the Virginia Western Community College parking fines from \$15 to \$20.
- Specify that a presumption exists that the registered owner is the person who committed the violation.

Honorable Mayor and Members of Council
May 5, 2003
Page 4

Amend Section 20-33.2 of the Code of the City of Roanoke to:

- Increase the fine for expired decals for surrounding jurisdictions to \$43 to make it consistent with Section 20-33.1 of the Code of the City of Roanoke.

Respectfully submitted,



Jesse A. Hall
Director of Finance

JAH/dl

Attachment

c: Honorable David C. Anderson, City Treasurer
 Darlene L. Burcham, City Manager
 Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Joe A. Gaskins, Chief of Police
 Ron Albright, Clerk of General District Court
 Barry L. Key, Director of Management & Budget

Current and Proposed New Parking Ticket Processing				
Process	Current Costs	Current Timing	New Costs	New Timing
Ticket Issued	\$15 +	10 calendar days to pay	\$15 +	15 calendar days to pay
Late Notice	Not issued	n/a	\$15 late payment penalty	Issued after 15 days and includes penalty
Law Enforcement Notice	\$15 plus \$15 late payment penalty	5 days to pay	None (includes fine and late payment penalty)	Issued after 30 days and allows 15 days to pay
Total cost of a ticket prior to court summons	\$30		\$30	
Administrative Fee for court summons	None	n/a	\$30	Violator notified that this fee will apply on court summons issued
Court Summons	n/a	Issued 15 days after original ticket issuance		Issued after 45 days from original ticket issuance
Total Costs for a \$15 ticket referred to court	\$30		\$60	
Length of time before a ticket is referred to court		15 – 20 days generally		45 days
Court Costs	\$47		\$47	
Total costs of a ticket processed through courts	\$77		\$107	
Set-Off Debt Collection fees apply to tickets returned from the court for collections and submitted to the state.	\$25		\$25	
Total costs of ticket processed through delinquent collections	\$102		\$132	

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining Section 20-33.1, Same – Requirements; obtaining license plate, tag or decal a condition precedent to discharge of violation, and Section 20-33.2, Requirements for operation; obtaining decal a condition precedent to discharge of violation, of Article II, Vehicle Licenses, of Chapter 20, Motor Vehicles and Traffic, of the Code of the City of Roanoke (1979), as amended, to provide for the increase of fines and change the time within which to pay such fines, providing for an effective date; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 20-33.1, Same – Requirements; obtaining license plate, tag or decal a condition precedent to discharge of violations, of Article II, Vehicle Licenses, of Chapter 20, Motor Vehicles and Traffic, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

§20-33.1 Same – Requirements; obtaining license plate, tag or decal condition precedent to discharge of violations.

- (a) It shall be unlawful for any owner of a motor vehicle, trailer, or semitrailer to fail to obtain and display any license plate, tag or decal required under the provisions of this article or to display upon a motor vehicle, trailer, or semitrailer any such license plate, tag or decal after its expiration date.
- (b) A violation of this section may not be discharged by payment of a fine except upon presentation of satisfactory evidence that the required license plate, tag or decal has been obtained.

- (c) Local law enforcement officers are authorized to issue citations, summonses, parking tickets, or uniform traffic summonses for violation of this section.
- (d) Every person receiving written notice from a police officer that he has violated this section may waive his right to appear and be formally tried for the violation set forth in the notice upon the voluntary payment of a penalty in the amount of forty-three dollars (\$43.00). Such penalty shall be paid to the city treasurer during the regular business hours of the office. The city treasurer shall not accept payment of this penalty except upon presentation of satisfactory evidence that the required license plate, tag or decal has been obtained. The city treasurer shall not be authorized to accept partial payment of the penalty due.
- (e) If this penalty is not paid within ~~ten (10)~~ *fifteen (15)* days of the issuance by an officer of a notice of violation, ~~a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, then a penalty of fifty-eight dollars (\$58.00) shall apply.~~ *A late notice shall be sent by the city's office department of billings and collections to the violator. Any violator to whom such a late notice is sent may pay such the penalty of fifty-eight dollars (\$58.00) and present satisfactory evidence that the required license plate, tag or decal has been obtained within five (5) fifteen (15) days of receipt the date of such late notice. If the violator does not pay the penalty pursuant to such late notice, a law enforcement notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's department of billings and collections to the violator.* The city treasurer shall not accept payment of this penalty except upon presentation of satisfactory evidence that the required *license plate, tag or decal* has been obtained. The city treasurer shall not be authorized to accept partial payment of the penalty due.
- (f) If the violator fails to pay the penalty provided for above within ~~five (5)~~ *fifteen (15)* days of receipt of a law enforcement notice sent pursuant to section 46.2-941, Code of Virginia (1950), as amended, the clerk of the general district court and the officer responsible for issuing the parking summons shall be notified of the failure to pay such penalty, in order that a summons may be issued.
- (g) In the event the commissioner of revenue or the city treasurer is advised that any person desires to contest a violation of this section, the commissioner of revenue or the city treasurer shall transmit notice of such fact as soon as possible to the city's ~~office~~ *department* of billings and collections, which shall certify such fact in writing in an appropriate form, to the clerk of the general district court.

- (h) Every person tried and convicted of a violation of this section shall be guilty of a class 4 misdemeanor, the penalty for which shall be inclusive of the penalty set forth above for a violation of this section. Unless otherwise ordered by the judge in whose court this violation is tried, or in which the same is cognizable, all fines and penalties arising under this section shall be paid into the city treasury.
- (i) *As set forth in Section 2-178.4 of the Code of the City of Roanoke (1979), as amended, an administrative fee may be applied to the total charges.*

2. Section 20-33.2, Requirements for operation; obtaining decal a condition precedent to discharge of violations, of Article II, Vehicle Licenses, of Chapter 20, Motor Vehicles and Traffic, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

§20-33.2 Requirements for operation; obtaining decal condition precedent to discharge of violations.

- (a) It shall be unlawful for any owner of a motor vehicle, trailer, or semitrailer to fail to obtain and display a local license decal required by any ordinance of the *any* county, city, or town, which is a party to a regional enforcement compact with the city and in which the vehicle is registered or to display upon a motor vehicle, trailer, or semitrailer any such local license decal after its expiration date. The fact that the current license tax of the situs jurisdiction has been paid on such vehicle shall not bar prosecution for a violation of this section.
- (b) Any violation of this section by an owner of the vehicle may not be discharged by payment of a fine except upon presentation of satisfactory evidence that the required license decal herein required has been obtained. Any fine paid under this section shall be deposited to the credit of the general fund of the city, and no accounting need to be made thereof to the situs jurisdiction of such vehicle.
- (c) Local law enforcement officers are authorized to issue citations, summonses, parking tickets, or uniform traffic summonses for violation of this section.
- (d) Every person receiving written notice from a police officer that he has violated this section may waive his right to appear and be formally tried for the violation set forth in the notice upon the voluntary payment of a penalty in the amount of ~~twenty-five dollars (\$25.00)~~ *forty-three dollars*

(\$43.00). Such penalty shall be paid to the city treasurer during the regular business hours of the office. The city treasurer shall not accept payment of this penalty except upon presentation of satisfactory evidence that the required decal has been obtained. The city treasurer shall not be authorized to accept partial payment of the penalty due.

- (e) If this penalty is not paid within ~~ten (10)~~ *fifteen (15)* days of the issuance by an officer of a notice of violation, ~~a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended;~~ *then a penalty of fifty-eight dollars (\$58.00) shall apply.* A late notice shall be sent by the city's ~~office~~ *department* of billings and collections to the violator. Any violator to whom such a late notice is sent may pay ~~such~~ *the* penalty of ~~thirty-five~~ *fifty-eight* dollars (~~\$35~~*58*.00) and ~~present satisfactory evidence that the required license plate, tag or decal has been obtained within five (5) fifteen (15) days of receipt the date of such late notice.~~ *If the violator does not pay the penalty pursuant to such late notice, a law enforcement notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's department of billings and collections to the violator.* The city treasurer shall not accept payment of this penalty except upon presentation of satisfactory evidence that the required decal has been obtained. The city treasurer shall not be authorized to accept partial payment of the penalty due.
- (f) If the violator fails to pay the penalty provided for above within ~~five (5)~~ *fifteen (15)* days of receipt of a law enforcement notice sent pursuant to section 46.2-941, Code of Virginia (1950), as amended, the clerk of the general district court and the officer responsible for issuing the parking summons shall be notified of the failure to pay such penalty, in order that a summons may be issued.
- (g) In the event the commissioner of revenue or the city treasurer is advised that any person desires to contest a violation of this section, the commissioner of revenue or the city treasurer shall transmit notice of such fact as soon as possible to the city's ~~office~~ *department* of billings and collections, which shall certify such fact in writing in an appropriate form, to the clerk of the general district court.
- (h) Every person tried and convicted of a violation of this section shall be guilty of a class 4 misdemeanor, the penalty for which shall be inclusive of the penalty set forth above for a violation of this section. Unless ~~otherwise~~ ordered by the judge in whose court this violation is tried, or in which the same is cognizable, all fines and penalties arising under this section shall be paid into the city treasury.
- (i) *As set forth in Section 2-178.4 of the Code of the City of Roanoke (1979), as amended, an administrative fee may be applied to the total charges.*

2. This ordinance shall be in full force and effect as of September 1, 2003.
3. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining Section 20-89, Penalties For Unlawful Parking, of Division 3, Duties of Police Officers, Penalties For Unlawful Parking, of Article IV, Stopping, Standing and Parking, of Chapter 20, Motor Vehicles and Traffic, to effect amendments to Section 20-89 that govern penalties for unlawful parking in order to increase the effectiveness and efficiency of collecting fines for parking violations and to eliminate redundancy; providing for an effective date; and dispensing with the second reading by title of this ordinance.

1. Section 20-89, Penalties For Unlawful Parking, of Division 3, Duties of Police Officers, Penalties For Unlawful Parking, of Article IV, Stopping, Standing and Parking, of Chapter 20, Motor Vehicles and Traffic, is hereby amended and reordained to read and provide as follows:

§ 20-89. Penalties for unlawful parking.

- (a) It shall be unlawful and shall constitute a parking violation, unless otherwise designated as a misdemeanor, for any person to violate any of the provisions of ~~the preceding two (2) divisions of this chapter~~ *division 1 of this article*.
- (b) (1) Every person receiving written notice from a police officer that he has violated any of the sections of ~~the preceding two (2) divisions of this chapter~~ *division 1 of this article* may waive his right to appear and be formally tried for the violation set forth in the notice upon the voluntary payment, as penalty and in full satisfaction of such violation, of the penalty set forth below. Such penalty shall be paid to the city treasurer during the regular working hours of his office or through any other method established by city council for the routine payment of such penalties. For purposes of this subsection, penalties shall be deemed to have been "paid"

when full payment therefore has been received by the city treasurer, regardless of whether such penalty is paid in person or is mailed. The city treasurer shall not be authorized to accept partial payment of penalties due. Penalties for parking violations shall be as follows:

Column 1	Column 2	Column 3
Section Violation	Penalty	Penalty
	If paid within 10 15 days of the issuance by an officer of a notice of violation	If paid after 10 15 days of the issuance by an officer of a notice of violation
20-65(3); 20-65(6); 20-65(7); 20-65(10); 20-65(12); 20-65(13); 20-70; 20-72; 20-73 or 20-75	\$ 10.00	\$ 25.00
20-65(14) or 20-68 or 20-69 (except subsection (m))	\$ 15.00	\$ 30.00
20-69 (except subsection (i))	\$ 20.00	\$ 20.00
20-65(1); 20-65(2); 20-65(5); 20-65(8); 20-65(9); 20-66; 20-67; or 20-71	\$ 20.00	\$ 35.00
20-65(15)	\$ 25.00	\$ 40.00
20-65(4) or 20-74	\$ 33.00	\$ 48.00
20-69(m) (i) or 20-76	\$125.00	\$ 140.00

- (b) (2) If the applicable penalty listed in Column 2 is not paid within ~~ten (10)~~ fifteen (15) days of the issuance by an officer of a notice of violation, *then the applicable penalty listed in Column 3 shall apply.* A late notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's office department of billings and collections to the violator. Any violator

to whom such *late* notice is sent may pay the applicable penalty listed in Column 3 *above* within ~~five (5) days~~ *fifteen (15) days* of the date of such *late* notice. *If the violator does not pay the penalty pursuant to such late notice, a law enforcement notice pursuant to Section 46.2-941 of the Code of Virginia (1950), as amended, shall be sent by the city's department of billings and collections to the violator.*

- (3) ~~A penalty of twenty dollar (\$20.00) may be paid for a violation of sections 20-65(1), 20-65(2), 20-65(5), 20-65(8), 20-65(9), 20-66, 20-67, or 20-71, if paid within ten (10) days of the issuance by an officer of a notice of a violation thereof; if paid thereafter, the penalty shall be thirty dollars (\$30.00). If not paid within ten (10) days, a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's office of billings and collections to the violator. Any violator to whom such notice is sent may pay such penalty of thirty dollars (\$30.00) within five (5) days of receipt of such notice.~~
- (4) ~~A penalty of twenty five (\$25.00) may be paid for a violation of section 20-65(15) if paid within ten (10) days of the issuance by an officer of a notice of a violation thereof; if paid thereafter, the penalty shall be thirty dollars (\$35.00). If not paid within ten (10) days, a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's office of billings and collections to the violator. Any violator to whom such notice is sent may pay such penalty of thirty five dollars (\$35.00) within five (5) days of receipt of such notice.~~
- (5) ~~A penalty of thirty eight dollars (\$38.00) may be paid for a violation of section 20-65(4) or 20-74, if paid within ten (10) days of the issuance by an officer of a notice of a violation thereof; if paid thereafter, the penalty shall be forty eight dollars (\$48.00). If not paid within ten (10) days, a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's office of billings and collections to the violator. Any violator to whom such notice is sent may pay such penalty of forty eight dollars (\$48.00) within five (5) days of receipt of such notice.~~
- (6) ~~A penalty of one hundred twenty five dollars (\$125.00) maybe paid for a violation of section 20-69(m), if paid within ten (10) days of the issue by an officer of a notice of a violation thereof; if paid thereafter, the penalty shall be one hundred thirty five dollars (\$135.00). If not paid within ten (10) days, a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's office of billings and collections to the violator. Any violator to whom such notice is sent may pay such penalty of one hundred thirty five dollars (\$135.00) within five (5) days of notice of such receipt.~~

- (7) ~~A penalty of one hundred twenty five dollars (\$125.00) maybe paid for a violation of section 20-76, if paid within ten (10) days of the issue by an officer of a notice of a violation thereof; if paid thereafter, the penalty shall be one hundred thirty five dollars (\$135.00). If not paid within ten (10) days, a notice pursuant to section 46.2-941, Code of Virginia (1950), as amended, shall be sent by the city's office of billings and collections to the violator. Any violator to whom such notice is sent may pay such penalty of one hundred thirty five dollars (\$135.00) within five (5) days of notice of such receipt.~~
- (c) If a violator does not pay the penalty provided for above ~~within five (5) days of receipt in Column 3 above within fifteen (15) days of receipt of a law enforcement notice sent pursuant to section 46.2-941, Code of Virginia (1950), as amended,~~ the clerk of the general district court and the officer responsible for issuing parking summons shall be notified of the failure to pay such penalty, in order that a summons be issued.
- (d) In the event that the city treasurer is advised that any person desires to contest any parking citation, the city treasurer shall transmit notice of such fact as soon as possible to the city's ~~office~~ *department* of billings and collection, which shall certify such fact in writing, in an appropriate form, to the clerk of the general district court.
- (e) Every person tried and convicted of a violation of section 20-69, ~~except section 20-69(i), shall be fined not less more than fifteen dollars (\$15.00) twenty dollars (\$20.00), and not more than one hundred thirty five dollars (\$135.00) inclusive of the penalty set forth above for a violation of this section. Unless ordered otherwise by the judge in whose court the violation is tried, or in which the same is cognizable, all fines and penalties arising under this section shall be paid into the city treasury.~~
- (f) Every person tried and convicted of a violation of any section of ~~the preceding two (2) divisions of this chapter, division 1 of this article,~~ except section 20-69 ~~and 20-76,~~ shall be fined not more than two hundred dollars (\$200.00), which fine shall be imposed in addition to the other penalties set forth above, which shall also be paid upon conviction.
- (g) *Every person tried and convicted of a violation of section 20-69(i) or section 20-76 shall be fined not less than one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00), which fine shall be imposed in addition to the other penalties set forth above, which shall also be paid upon conviction.*

(h) *In any prosecution charging a violation of any section of this article or any ordinance of the city governing the standing or parking of a vehicle, proof that the vehicle described in the complaint, summons, parking ticket citation, or warrant was parked in violation of such section or ordinance, together with proof that the defendant was at the time the registered owner of the vehicle, as required by Code of Virginia, § 46.2-600 et seq., shall constitute in evidence a prima facie presumption that the registered owner of the vehicle was the person who committed the violation.*

(i) *As set forth in Section 2-178.4 of the Code of the City of Roanoke (1979), as amended, an administrative fee may be applied to the total charges.*

2. This ordinance shall be in full force and effect as of September 1, 2003.

3. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.



CITY OF ROANOKE
DEPARTMENT OF FINANCE

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May 5, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable William H. Carder, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Assessment of Administrative Costs

Section 58.1-3958 of the Code of Virginia authorizes application of an administrative fee to unpaid taxes and charges. Effective July 1, 2003, these fees are being increased by State law to \$30 and \$35. Following notice of delinquent taxes or other delinquent charges and prior to any judgment, a fee of \$30 is authorized. Subsequent to judgment, a fee of \$35 is authorized.

The current City Code section authorizes a fee of \$20 and \$25, respectively, and does not apply to charges other than delinquent taxes. We recommend amending Section 2-178.4 of the City Code to provide for an administrative fee for other charges in addition to the administrative fee for taxes as currently authorized and to provide for the increase in fees as set forth in State law.

Recommended Action:

Amend Section 2-178.4 of the Code of the City of Roanoke to include other delinquent charges and to increase the administrative fee as authorized by the Code of Virginia.

Respectfully submitted,

A handwritten signature in cursive script that reads "Jesse A. Hall".

Jesse A. Hall
Director of Finance

JAH/ca

Honorable Mayor and Members of Council
May 5, 2003
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c: Honorable David C. Anderson, City Treasurer
 Darlene L. Burcham, City Manager
 Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Barry L. Key, Director of Management & Budget

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining Section 2-178.4, Assessment of Delinquent Taxpayers for Administrative Costs, of Article VIII, Finance Generally, of Chapter 2, Administration, of the Code of the City of Roanoke (1979), as amended, to provide for the assessment of administrative fees for the collection of all debts owed to the City where the filing of a warrant or other documents are necessary to collect such debts; providing for an effective date; and dispensing with the second reading by title of this ordinance.

BE IT ORDAINED by the Council of the City of Roanoke as follows:

1. Section 2-178.4, Assessment of Delinquent Taxpayers for Administrative Costs, of Article VIII, Finance Generally, of Chapter 2, Administration, of the Code of the City of Roanoke (1979), as amended, is hereby amended and reordained to read and provide as follows:

§2-178.4 Assessment of Administrative Costs.

If collection proceedings have been commenced by the treasurer or other tax official against any delinquent taxpayer *or other persons owing delinquent charges to the city*, then in addition to all taxes, penalties and interest *or such other charges* due, such ~~taxpayer~~ *persons* shall pay an administrative fee as provided in section 58.1-3958, Code of Virginia (1950), as amended, to cover the cost of collection in the following amount:

- (a) ~~Twenty~~ *Thirty* dollars (\$230.00) if the total amount due is collected subsequent to the filing of a warrant or other appropriate legal document but prior to judgment; or
- (b) ~~Twenty~~ *Thirty-five* (\$235.00) dollars if the total amount due is collected subsequent to judgment.

(c) One hundred and fifty dollars (\$150.00) or twenty-five 25 percent of the collection cost, whichever is less, if the collection activity is to collect on a nuisance abatement fee; however, in no event shall the fee be less than twenty-five dollars (\$25.00).

2. This ordinance shall be in full force and effect as of July 1, 2003.

3. Pursuant to Section 12 of the City Charter, the second reading of this ordinance by title is hereby dispensed with.

ATTEST:

City Clerk.